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FILE No. NEQ 3/324/1 (Part A)

TITLE: Iran / Iraqi: Political Relations

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BRITISH EMBASSY

TEHRAN

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Reference

H. C. 19/10
Mr. Weston 20/10
Counsellor o.r.

Copy
At 10.15 p.m. 20/10
to Mr. Weston, 10/10
20/10

How

4/11 Irano/Iraqi Relations

thing

I accompanied Mr. Geoffrey Arthur to his Audience this evening. It lasted over 1½ hours. The Shah opened the discussion with the rather surprising question: "Why did you let that bloody tragedy happen in Iraq in 1958?" Mr. Arthur said that we had, he thought, given a warning to Nuri Pasha: the fact was, however, that the Iraqi Government had been caught unawares. After a brief discussion about that particular event the Shah asked Mr. Arthur about land reform in Iraq (having prefaced this by saying that he had just heard that Professor Lambton, after her recent extensive tour in Iran, had reported very favourably on land reform progress, especially cooperatives). Mr. Arthur said that land reform had been a failure in Iraq (President Al-Bakr himself had admitted this in conversation three weeks ago), and gave the Shah some of the reasons why he thought it had failed.

Mr. Arthur
11/11

Reg.

M

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for
JRM
13/11

2. From this the Shah got on to the present situation in Iraq. He said that he would like to see a unified and strong government in Iraq. At present this did not exist and it was difficult to see how it would ever be achieved. What he was frightened of more than anything else was that the Syrians and the Iraqis would join forces under Russian influence and thus provide a link between the Mediterranean and the Persian Gulf. He did not however regard this as a likely project. So long as the Iraqi Government remained a weak and uncertain quantity he, the Shah, had no intention of giving up his Kurdish "trump card". He had no intention of encouraging the Kurds in Iraq to seek autonomy or a political link with Iran - if he were to do this he would upset the Turkish Government, which he did not wish to do.

3. The Shah mentioned that the Iraqis would soon have Russian missiles. Mr. Arthur said that he thought they already had them on their Komar MTBs.

4. Another point made by the Shah was that he could not accept the present unfair Shatt boundary (he not once used the full "Shatt-el-Arab"). The agreement under which this had been fixed was no longer regarded as valid by the Iranian Government since the Iraqis had failed to honour it, in that for the past thirty years they had failed to submit to the Iranians any report on their administration of the Shatt. Today, though, the Iraqis were much more dependent on shipping using the Shatt than were the Iranians.

23 October 1968

Copy to Mr. Dawson

NEQ 3/324/1.

Extract from
S.W.B. 5 Dec 1968.

ME/2943/A/8

Reports in Brief

Expulsion of Jesuits from Iraq Twenty-five Jesuit fathers and two members of other religious orders have been expelled as undesirables by the Iraqi Government. This was reported by press agencies which added that the Government had taken over the Hikma Free University of Baghdad which was run by US fathers of the Society of Jesus. Relations between the university and the Iraqi authorities have always been cordial. Last September the Government, by an appropriate decree, brought the university under Iraqi control and appointed an Iraqi principal. At the beginning of November eight Jesuits received an expulsion order. When an explanation was asked for, the reply was given by a second expulsion of 17 Jesuit fathers and two members of other religious orders. (Vatican in Italian 18.33 GMT 3.12.68)

Iraqi delegation to Iran The Deputy Premier and Defence Minister Air Marshal Hardan at-Tikriti and the Foreign Minister Abd as-Sattar ash-Shaykhli will leave Baghdad on 6th December for Tehran on a four-day official visit at the invitation of the Iranian Government. The accompanying delegation will consist of 14 members, including the assistant army chief of staff and a number of officers and Foreign Ministry officials. (Baghdad in Arabic 15.00 GMT 3.12.68)

Yemeni Royalist military operations Royalist artillery stationed in the (?Hadath) area has shelled the positions of the traitor Ahmad Ali al-Madari. Destroying a Russian-made tank, killing its occupants and hitting an ammunition dump. The shelling continued for four hours (Mutawakkilite Radio in Arabic 12.00 GMT 2.12.68). A military communique issued by the Haymatayn and Bani Matar Command states that men from the Bani Anis and other tribes attacked enemy positions in the Jabal Mudawwarah and Jabal Dhafar. They captured a machine-gun, killed its crew, took one prisoner, destroyed a military vehicle; and captured large quantities of ammunition. Royalist forces in Bani Matar shelled enemy positions on the Sana-Hudaydah road. One mortar was knocked out and its crew killed or wounded, one military vehicle destroyed and 16 enemy agents killed (Mutawakkilite Radio in Arabic 12.00 GMT 3.12.68)

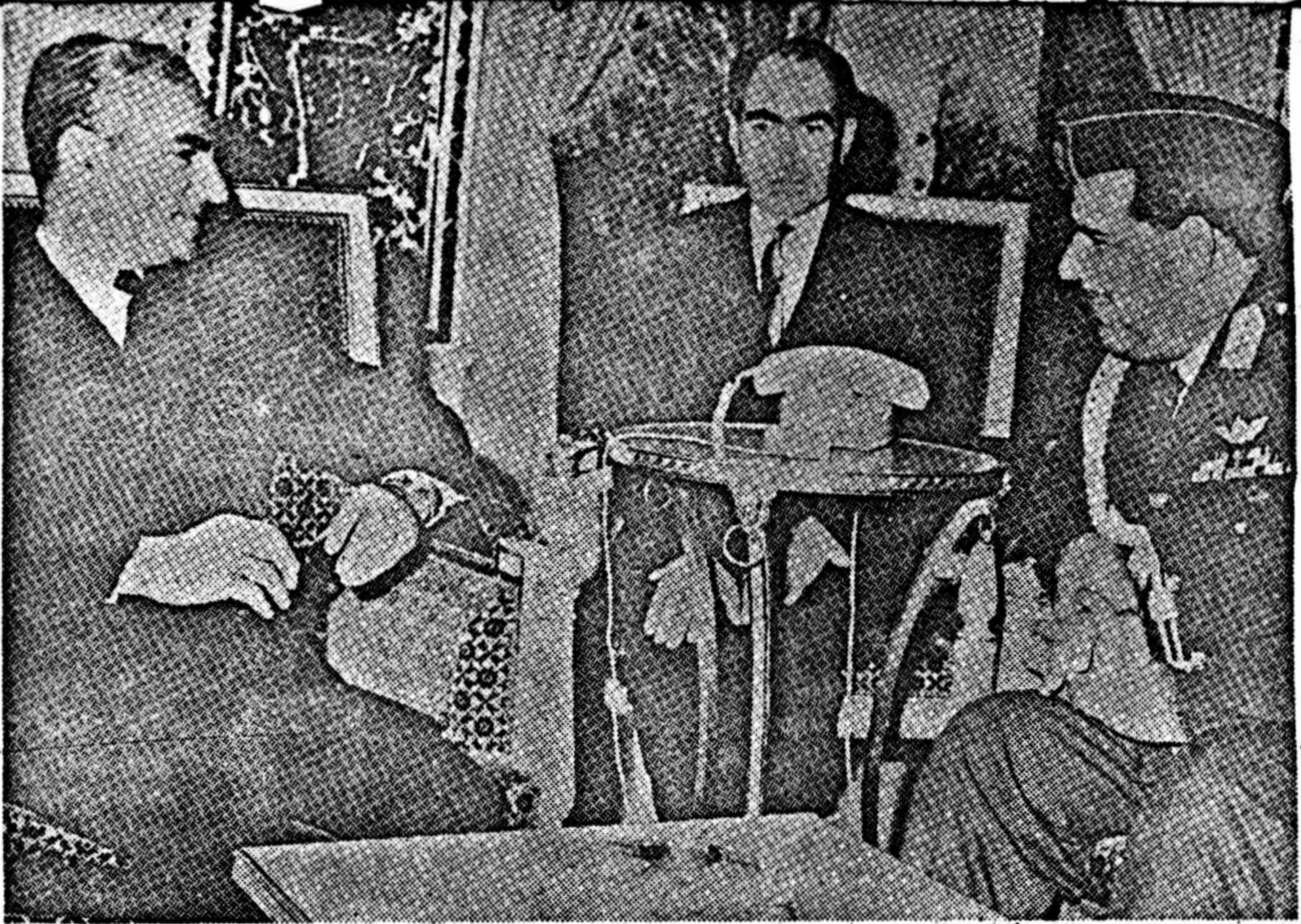
Attack on Bayhan from Saudi Arabia An authoritative source has stated that agents of Saudi reaction and foreign intelligence trained in Najran, on 1st December tried to infiltrate into the Bayhan area. After a five hour battle our forces cleared the area of these mercenaries and traitors known as the South Arabia National Unity Army. The enemy suffered heavy losses including the capture of a car belonging to their leader Haydar Bin Salih, a car containing important and dangerous documents, three cars of American make, a large transmitter, three large wireless sets and two infantry wireless sets all of American make and large amounts of weapons and equipment including rifles of 50 mm. calibre. The enemy is still being pursued. Our losses are one wounded. Mercenaries and traitors trained in (?Shurura) on the borders of the Fifth Governorate on 30th November tried to infiltrate into areas of the Governorate. They were repulsed and about 20 (?wounded), all their light and heavy weapons being captured. (Aden in Arabic 17.00 GMT 2.12.68)

Jordanian delegation to Soviet Union The Cabinet has decided that the National Economy Minister Hatim az-Zubi will lead the Jordanian economic delegation to Moscow. Other members will include the Deputy Chairman of the Development Board Adil ash-Shamayilah, the Deputy Chairman of the Natural Resources Authority Eng. Umar Abdullah and the Foreign Ministry Ambassador Dr. Najm ad-Din ad-Dajani. While in Moscow, the delegation will discuss trade exchange and economic co-operation between the two countries. (Amman in Arabic 16.00 GMT 2.12.68)

Turkish delegation to Lebanon A Turkish Parliamentary delegation led by the President of the Turkish Grand National Assembly Ferruh Bozbeyli, arrived in Beirut on 2nd December on an eight-day visit to Lebanon. (Beirut in Arabic 18.00 GMT 2.12.68)

ASU National Congress Speech by Minister of the Interior Correction to ME/2942/A/15: last paragraph, third line - for "embassies" read "consulates".

(3)



Iraqi Deputy Premier and Defence Minister Tikriti seen yesterday during their audience with His Imperial Majesty. An interpreter sits in centre.

MONARCH, TIKRITI EXCHANGE VIEWS

THE Shahanshah received visiting Iraqi Deputy Premier and Defence Minister, Air Marshal Hardan al Tikriti, in audience yesterday morning. Al Tikriti delivered a special message from President Ahmad Hassan al Bakr to His Imperial Majesty.

Also present at the audience were Iraqi Foreign Minister Abdul Karim al Sheikhli, Iraqi Ambassador Mohammad Hussein al Yassin, and His Imperial Majesty's Ambassador to Baghdad, Ezatollah Ameli.

The Sovereign and the Iraqis "exchanged views on a number of topics of mutual interest", it was announced afterwards. The meeting was basically concerned with bringing about a better understanding of the positions adopted by both sides on a wide range of political, economic and military questions.

Later, al Tikriti called on Acting Prime Minister Jamshid Amuzegar before meeting War Minister Lt. General Assadollah Sani'i for the first of a series of lengthy discussions. Sani'i said at the meeting: "I hope that the friendly relations between our two countries will grow stronger every day."

Abdul Jabbar Shamsi, Commander of the Iraqi First Division, also met with General Jam, Deputy Chief of the Supreme Commanders Staff and General Arshad, also of the Supreme Commanders Staff.

Al Sheikhli, accompanied by Political Director Mahmud-Ali Davoud, called on Foreign Ministry Under-Secretary Amir Khosrow Afshar for a brief discussion of "topics of mutual interest".

A banquet was given by Gen. Sani'i at the Central Officers' Club in Tehran. Top members of the Iranian military command were present, as well as Iraqi Deputy Supreme Commander, Shenshal, Commander of Iraqi First Division, Gen. Mustafa Kamal and a number of other top Iraqi officers accompanying the Air Marshal.

No formal negotiations are expected to take place and the visit is expected to be followed by a series of bilateral talks at lower levels, according to informed sources.





Tikriti heads Iraqi wings

● Visiting Iraqi Deputy-Premier and Defence Minister, Air Marshal Hardan Abdul Ghaffar al-Tikriti was born in Tikrit, near Baghdad, in 1925 into a family of small traders. He graduated from the Baghdad Military Academy (Kollia Harbia) in 1948 and later entered the Staff College graduating as an Air Force Officer.

In 1959 al-Tikriti was dismissed from the Iraqi Air Force on the orders of the late Gen. Abdul Karim Kassem who had seized power a year earlier. Al-Tikriti was among the young officers suspected by Kassem for their political activities.

Emerging from house arrest in 1963 al-Tikriti played a major role in the coup d'etat which toppled Kassem's regime. He was then appointed Air Force chief by the late strongman Abdul Salam Aref. He also served as Minister of Defence for a short period in Maj. Gen. al-Bakr's Cabinet which was later deposed by the late Aref.

With the fall of al-Bakr in 1963 al-Tikriti was sent into exile by Aref as Ambassador to Sweden where he stayed until Aref's death. In 1966 he returned to Baghdad and led the coup d'etat last summer, after which he was promoted to Air Marshal.

Al-Tikriti is married with five children.

SHEIKHLI VETERAN BA'ATHIST

● The Iraqi Foreign Minister, Abdul Karim Abdul Sattar al-Sheikhli, accompanying Air Marshal al-Tikriti on his visit to Iran, was born in Baghdad in 1937 into a fairly prosperous family.

After graduating from a secondary school he entered the Baghdad Faculty of Medicine where he became a fervent Ba'athist. He was one of a large group of Ba'athist students arrested during the Kassem era and sentenced to death by a martial court headed by Kassem's notorious cousin, Fadhil al-Mahdawi.

Al-Sheikhli, however, managed to escape the firing squad and reach Syria where he joined the underground Ba'ath Party led by the veteran Michel Aflaq. After the fall of Kassem in 1963 he returned to Baghdad and resumed his studies but was appointed assistant military attache at the Iraqi Embassy in Beirut where he stayed until 1966.

In 1967 he returned to Baghdad and resumed his studies while continuing his Ba'athist activities in close contact with Maj. Gen. al-Bakr and Maj. Gen. Saleh Mahdi al-Ammash.

Last summer he played an active part in the coup d'etat which toppled the Aref-Yahya regime. He was appointed Foreign Minister three months ago.

Top Iraqis arrive today

A high-powered Iraqi delegation headed by Deputy Premier and Defence Minister Abdul Ghaffar Hardan al-Tikriti is scheduled to arrive in Tehran today for a four-day visit at the invitation of the Iranian Government.

In Baghdad yesterday, Air Marshal al-Tikriti told newsmen he was confident his visit "would help improve relations with Iran." He said his Government was "grateful to our brother Muslim neighbour Iran for its praiseworthy stand on the question of Palestine."

"This," he said, "shows that the occupation of Arab lands by Israel is not an exclusively Arab problem but also concerns all Muslim nations."

Included in the 16-strong mission are Abdul Karim al-Sheikhli, Minister of Foreign Affairs, Mahmud Ali Davoud, Director-General of the Political Office and Brig. Gen. Abdul Jabbar Shenshal, Deputy Chief of the Joint Staff and Brig. Gen. Kamal Mustafa, Commander of the First Division.

Al-Tikriti and al-Sheikhli are to be received in audience by the Shahanshah next week, informed sources said in Tehran yesterday. The Air Marshal is understood to be carrying a special message to His Imperial Majesty from President Ahmad Hassan al-Bakr.

The final agenda for talks between the two sides remained to be completed yesterday but the principal items to be discussed were already agreed upon.

They include delineation of the Persian Gulf continental shelf, joint exploitation of frontier Khaneh oilfields and demarcation of the boundaries at points still unsettled by formal agreements.

KAYHAN INTERNATIONAL

9 Dec 1968

SOVEREIGN INVITED TO IRAQ

By Our Political Correspondent

THE Shahanshah has been invited to pay a state visit to Iraq, visiting Iraqi Deputy Premier Air Marshal Hardan al Tikriti told Kayhan International yesterday. The invitation was contained in a special message from President Ahmad Hassan al Bakr to His Imperial Majesty.

Al Tikriti, who is leading a high powered Iraqi mission on an official visit to Iran, also said that agreements already reached with Iran would be re-activated. He forecast much closer relations between the two countries.

Al Tikriti singled out the Palestine situation as the major concern of the new Ba'athist regime in Baghdad and said Iraq would strengthen its armed forces in Jordan.

Iraqi Foreign Minister Abdul Karim al Sheikhli, who is accompanying the Air Marshal, called on Foreign Minister Ardeshir Zahedi for a "frank and cordial exchange of opinions". Al Tikriti and al Sheikhli, as well as the other members of the Iraqi mission, were guests at a banquet given by Zahedi in al Sheikhli's honour last night.

In the morning, al Tikriti visited a number of armaments factories in and around Tehran while other members of the mission continued talks with Iranian authorities.

The visit, originally planned to last four days only, has been extended by one day to allow the Iraqis to go to Shiraz and Isfahan.



AL TIKRITI TALKS TO AMIR TAHERI

'WE LOOK TO THE FUTURE'

Taheri: In 1963, when you and Maj. Gen. al Bakr were in the Cabinet, relations between Iran and Iraq improved. Some even talked of a "honeymoon" coming after the long period of bad relations due to Kassem's policies. Now that you are back in power how do you envisage the future of relations between the two countries?

Tikriti: It is true that relations improved in '63 and it is true that the present Supreme Revolutionary Council consists of the same men as in '63. But we do not want a simple repetition of the past. We want far better and far more purposeful relations with your country. We do not want to look to the past but to the future. During my audience with His Imperial Majesty we gave the Sovereign a clear-cut picture of the present situation in Iraq and we got the favourable response we had expected. We explained our policies and attitudes and we were well received.

Taheri: Are you prepared to sign an agreement on the Persian Gulf continental shelf on the same lines as the agreement Iran reached with other Arab countries?

Tikriti: Why not? But I must tell you that we are not here to sign agreements; we are here for far more constructive business. Iran and Iraq have named members of the joint committee which will decide on the points you have raised. Given the present goodwill we could agree on all points.

Taheri: Does it mean that agreements reached during ex-Premier Taher Yahya's visit to Iran will be re-activated?

Tikriti: When we came to power we found out that the former rulers had done nothing about the agreements; they lacked the courage and the means to do so. We began doing some-

● **Air Marshal Hardan Abdul Ghaffar al-Tikriti**, who is now considered the strongest member of a triumvirate ruling Iraq, is a thickset man of 43. He has spent most of his life in the armed forces while continuing to be active in politics. For the business of arms and politics are often parts of the same field of activity in the Arab world.

In spite of his bulk, al Tikriti has a youthful face and speaks in a low-pitched voice; he could well be a youngish patriarch or a successful businessman.

Speaking to him one gets the impression of a man of deep and yet simple feelings. He quickly becomes fully involved in what he sets out to do without being totally proof against a sudden, violent change of mind.

The private interview took place at Prime Minister Hoveyda's official residence at Saadabad. The interview was in English, which the Air Marshal speaks with facility.

thing about the agreements because we have the courage and the means.

Taheri: The military aspects of your mission have been emphasised. Did you take part in any military negotiations?

Tikriti: No military negotiations. We just exchanged views with General Sani'i (War Minister) and other top military officers. General Sani'i very kindly told us we could visit Iranian Army and Air Force bases as friends, but we declined because we have so little time. We are going to visit some armaments factories.

Taheri: Are you intending to buy arms from Iran?

Tikriti: We must first see what you produce, don't you think?

Taheri: Recently we had reports of fighting in Iraqi Kurdistan. How true are the reports?

Tikriti: Let me tell you this. The same day I was packing my suitcase to

come to Tehran, the rebel Mulla Mustafa Barzani and his followers attacked villages and killed civilians in the north while spreading rumours that they had Iranian backing. This we knew was a lie and the Iranian authorities confirmed our knowledge. But it is obvious Barzani wanted to damage my visit. Again, the same day Israelis attacked our forces on the Eastern Front, Mulla Barzani fired on a train near Kirkuk, killing and wounding civilians. He times his attacks with Israeli advice.

Taheri: What do you mean?

Tikriti: There are Israeli agents helping Barzani. We offered the Kurds a fair deal and the majority have accepted it. The Barzani faction is encouraged by Israel to continue making trouble.

Taheri: I hear that you are also facing a great deal of opposition from other quarters in Iraq. How true

are reports of mass arrests and bodies found in the streets?

Tikriti: There is no truth in such reports but we, like other regimes, have opponents and we will handle them firmly and fairly.

Taheri: What is your internal policy? What programmes do you want to carry out in Iraq?

Tikriti: Well, we have been in power for a few months only so far. And we have been busy building up our forces on the Eastern Front while sorting out existing domestic difficulties. We also had to produce our Kurdish programme. The first thing we wish to do is to begin a new land reform, to put an end to feudalism.

Taheri: Are you going to nationalize some more enterprises, perhaps oil, or are you going to encourage private enterprise?

Tikriti: We are not going to nationalize anything and we shall encourage private business in accordance with public interest. In fact it is one of our major concerns to encourage private enterprise. We would also give priority to building up armed forces for the defence of Jordan primarily.

Taheri: What do you think of the recent Israeli operations against Jordan? Are you going to build up your armed strength in the Hashemite Kingdom?

Tikriti: I think we are in a better position to defend ourselves against Israeli attacks. Since we came to power the Iraqi forces in Jordan have been increased sixfold. We are going to





send still more fighting units to the Eastern Front, and they will be the most experienced and the best-equipped elements of our army and air force. There is the danger that some of our units may be involved in the North but nothing will divert our attention from Palestine.

Taheri: Are you really a Ba'athist? And if so, what does Ba'ath stand for?

Tikriti: We are all Ba'athists in the Revolutionary Council. I think the Ba'ath Party is the only movement capable of leading all the Arabs to peace with victory and prosperity.

Taheri: Are you going to improve your relations with the Syrian Ba'ath rulers?

Tikriti: There is a new national leadership for Ba'ath which should be accepted by all Ba'athists. As for Syria, like other Arab countries, we wish only to co-operate with them in what concerns all Arabs, i.e. the Palestine situation.

Taheri: And your relations with Egypt?

Tikriti: The same. I could say the same about all Arab countries.

Taheri: Have you allowed the exiles to come back? Are persons like Ali Salah Sa'adi allowed to return?

Tikriti: Yes. Many exiles have already come back, many of them to government posts. We have also released many political prisoners.

Taheri: But people like Yahya, Dohan and Kheirullah are still held. Is there going to be a trial?

Tikriti: Eight members of the former government are held, including the people you named. They will be tried for embezzlement.

Taheri: We have had reports that you are involved in a bitter feud with Interior Minister Gen. Saleh Mahdi al Ammash. How true are reports speaking of your personal bid for power?

Tikriti: Al-Ammash is a great chum of mine and

a fine chap, too. I certainly wouldn't wish him any harm. Rumours of power struggles are spread by people who do not want to see a stable Iraq. All views of all the five members of the Revolutionary Council are completely identical.

Taheri: Did you take part in the June war?

Tikriti: No, I did not have the opportunity. When the war began Abdul Rahman Aref sent for me, al-Bakr and al-Ammash. We were all under house arrest before. Abdul Rahman asked my advice about the Air Force. I prepared a plan, but then Abdul Rahman sent me back home. Al-Bakr and al-Ammash were also sent back. Abdul Rahman was very inefficient and one reason we made the revolution was our resentment of the June events. Palestine has all along been our primary concern and now it is the only criterion we use in forming our foreign policy. We are friends with those nations who understand and support the Arab position in Palestine. Iran's position on this matter is beyond praise.

Taheri: Have your relations with the Soviet Union improved?

Tikriti: Yes, because that country is on the side of justice in Palestine. We also hope to have excellent relations with other countries of the socialist camp.

Taheri: Finally, could you tell me what impression you have formed during your visit to Iran?

Tikriti: Everywhere we were met with understanding and goodwill. The audience with His Imperial Majesty was very fruitful. I delivered a message from President al-Bakr, who has renewed an invitation to the Shahanshah to visit Iraq. I have a very favourable impression and I am sure our relations are to be developed and bettered.

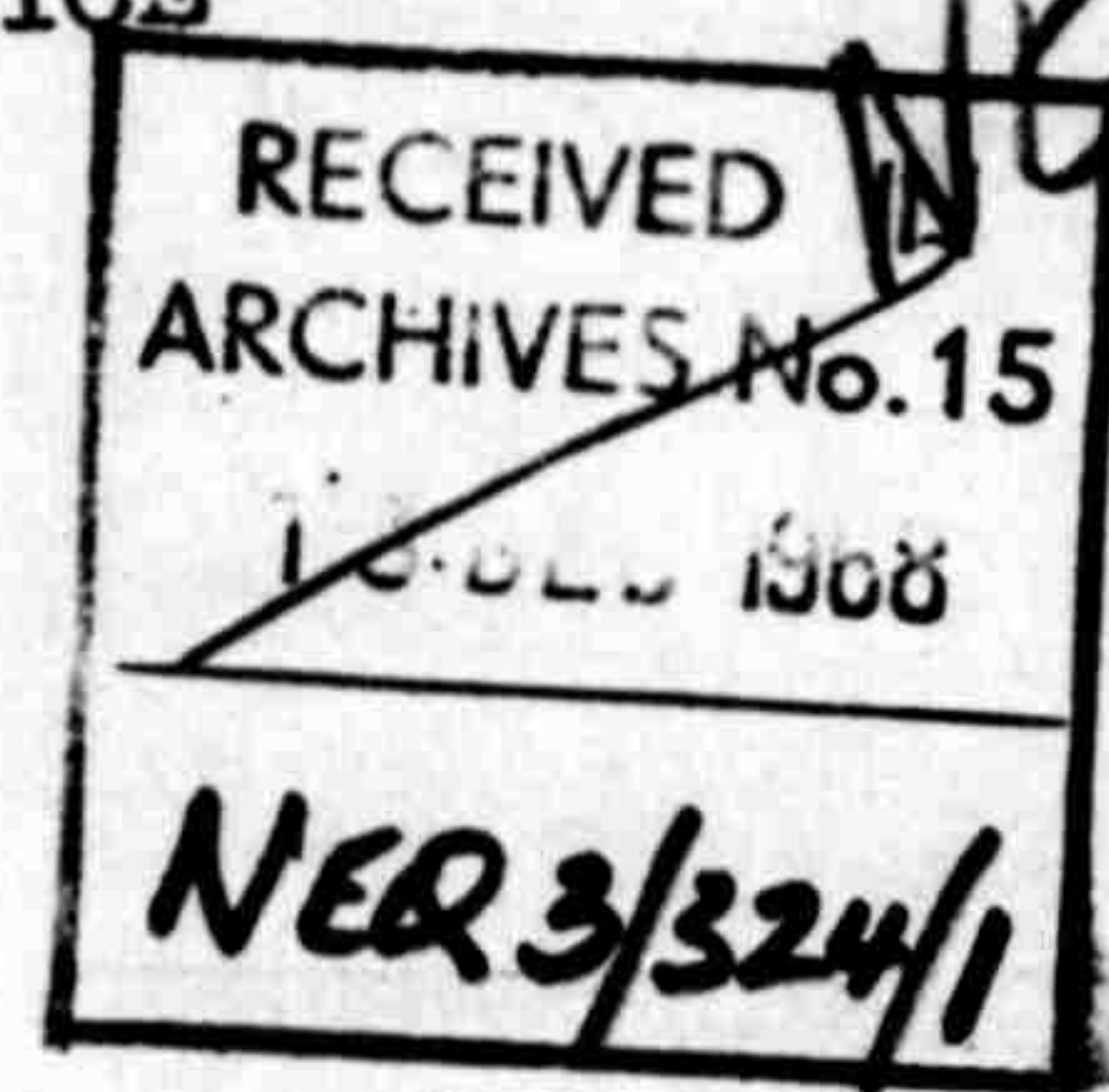
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EN CLAIR

PRIORITY BAGHDAD TO FOREIGN AND COMMONWEALTH OFFICE

TELNO 527 12 DECEMBER, 1968

UNCLASSIFIED



ADDRESSED TO FCO TEL NO 527 OF 12 DEC RFI TEHERAN , ANKARA, KUWAIT AND BAHRAIN RESIDENCY. IN A STATEMENT TO THE IRAQI. NEWS AGENCY ON HIS ARRIVAL FROM IRAN ON 11TH DEC AFTER A SIX DAY VISIT, GENERAL TAKRITI SAID THAT HIS VISIT WAS FRUITFUL, SUCCESSFUL AND USEFUL. QUOTE IT HAS REMOVED ANY BLEMISH OR COOLNESS THAT MIGHT HAVE AFFLICTED RELATIONS BETWEEN THE TWO COUNTRIES IN THE PAST AS A RESULT OF NON- CONFIDENCE BETWEEN RULERS - A STATE OF AFFAIRS THAT CEASED TO EXIST AFTER THE 16 JULY REVOLUTION . UNQUOTE.

HE ADDED THAT THE IRANIAN OFFICIALS, QUOTE WITH H.M. THE SHAH AT THE TOP, HAVE DISPLAYED FULL UNDERSTANDING OF THE ISSUES WHICH ARE OF INTEREST TO IRAQ AND THE ARAB NATION, AND HAVE EXPRESSED SUPPORT OF THE ARABS IN ALL THEIR CAUSES UNQUOTE.

2. GENERAL TAKRITI PAID TRIBUTE TO THE WELCOME AND HOSPITALITY ACCORDED TO HIM AND TO THE MEMBERS OF THE DELEGATION BY THE OFFICIALS OF NEIGHBOURLY AND MOSLEM IRAN. QUOTE WE WERE ACCORDED A WARM RECEPTION WHEREVER WE WENT BY ALL OFFICIALS AND COUNTRYMEN, SOMETHING WHICH REFLECTS THE PROFOUNDNESS OF GOOD RELATIONS HOLDING OUR TWO COUNTRIES TOGETHER. UNQUOTE. GENERAL TAKRITI EMPHASISED THAT IRANIAN OFFICIALS WERE ANXIOUS TO SEE PEACE AND SECURITY MAINTAINED IN IRAQ IN THE SAME WAY AS THE GOVERNMENT OF IRAQ WISHED THE SAME FOR IRAN, BECAUSE INTERNAL SECURITY IN ONE COUNTRY AFFECTS THE INTERNAL SECURITY OF THE OTHER.

3. IN CONCLUSION THE DEPUTY PRIME MINISTER AND MINISTER OF DEFENCE EXPRESSED THE HOPE THAT THE VISIT WOULD LEAD TO THE ESTABLISHMENT OF THE BEST AND STRONGEST RELATIONS BETWEEN THE TWO COUNTRIES.

MR. EVANS

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Mr. Malvern
You may be interested
in the press cuttings
below.
16/12
16/12
Ni

KAY HAN INT.
15 DEC 1968

NEQ 3/324/1

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pa
20/12

IRAN and Iraq have agreed that three joint committees, already formed, should begin work "immediately" to negotiate agreements on frontiers, common waters and the Persian Gulf continental shelf, reports from Baghdad, quoting official sources said yesterday.

The agreement was reached during the six-day official visit of Iraqi Deputy-Premier and Defence Minister Air Marshal Hardan Abdul Ghaffar al Tikriti who left Tehran for Baghdad on Wednesday. No communique was published at the end of the visit but both sides described the visit as "extremely useful".

Major topics discussed during the visit ranged from the demarcation of boundaries between the two countries to the Palestine situation, informed sources said yesterday. Iraq is understood to be grateful to the Iranian stand in favour of the Arabs in Palestine and considers this as an indication of Iran's willingness to improve relations with Arab countries.

Informed sources also said that the two sides have agreed to hold joint consultation sessions to discuss all questions of interest in future.

No date has been fixed for the Shahanshah's state visit to Iraq but the Iraqis hope this will take place soon.

Air Marshal al Tikriti expressed "deep gratitude" for "a very friendly reception" in a cable he sent to Foreign Minister Zahedi on Thursday. He also said he and his colleagues were "deeply impressed by the great progress Iran has achieved under the leadership of His Imperial Majesty the Shahanshah Aryamehr".

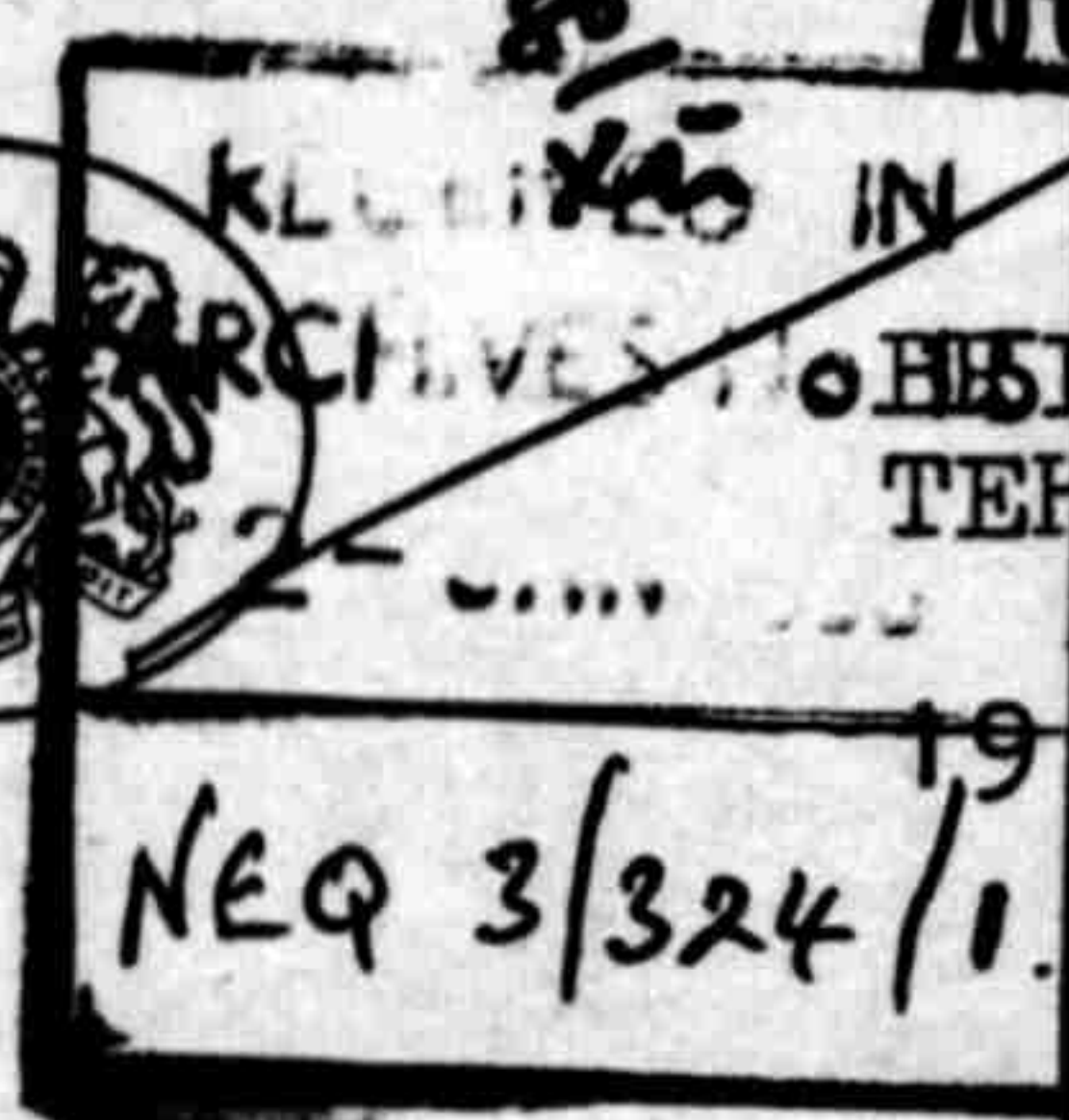
He added that he was certain "our visit has served the cause of friendship between our two brother nations" and would be "important in bringing about co-operation in facing dangers posed against our Islamic holy sites in Palestine". The cable concluded by saying that co-operation between Iran and Iraq would not only serve the interests of the two nations but would also help achieve "happiness and prosperity for all Muslims of the world".

Al Tikriti's visit to Iran was welcomed by the Baghdad press. The official newspaper Al Jumhuriya said the success of the talks would block the efforts of subversive forces who tried to divide the two Muslim peoples.



Foreign Minister Ardeashir Zahedi (left) pictured embracing Iraqi Deputy-Premier and Defence Minister, Air Marshal al Tikriti at Mehrabad Airport on Wednesday when the Iraqi visitor returned to Baghdad at the conclusion of a six day visit. Behind the Air Marshal is Iraqi Foreign Minister Abdul Karim al Sheikhli who had accompanied al Tikriti during the visit.

3/40

BRITISH EMBASSY,
TEHRAN.

19 December, 1968

Dear Tony,

Irano/Iraqi Relations

Please refer to Baghdad telegram No. 5271 (not to all).

2. General Hardan Takriti, the Iraqi Deputy Prime Minister and Minister of Defence, accompanied by Abdul Karim Shaikhli, the Foreign Minister, paid an official visit to Iran from 5 to 11 December. While the general view here seems to be that the visit as such was a success, most people are waiting (with some scepticism) to see whether the joint committees set up some time ago to discuss bilateral problems will now actually start work. As Iranians see it the Iraqis have talked for so long about co-operation with Iran but done nothing about it in practice that it is difficult to believe concrete results will be forthcoming now.

3. When the Ambassador saw Afshar, the Deputy Foreign Minister, on 8 December, he asked him about the visit. Afshar indicated that it was essentially a goodwill mission and that nothing concrete was likely to emerge from it. The Ambassador asked whether as a result of the visit the various mixed commissions often spoken about after previous visits would now meet to discuss outstanding problems and Afshar said that this was certainly the intention though he did not know whether anything would happen. As far as the Iranians were concerned, the all-important question was settling that Shatt-al-Arab boundary along recognised international lines. The Iranian position on this had hardened, if anything, and until some progress was made on this front there would be no progress on other fronts. He went on to say that now that oil was being shipped through Kharg island and Bandar Mashur the Iranians had no real interest in Shatt-al-Arab shipping, whereas the Iraqis had, and unless they came to terms with the Iranians the port of Basra would decay. The Ambassador also asked Afshar why the Iraqis had been so anxious for the visit to take place. He said for internal reasons and because of the Kurds, but did not expand on this.

4. When the Ambassador asked Afshar about the visit again on 16 December, the latter said that some progress had been made in the last few days of the visit and both the Deputy Prime Minister and the Foreign Minister seemed genuinely anxious for Iranian friendship. They had taken the line that without Iranian support they could not solve the Kurdish problem. For their part the Iranians had spoken very frankly and made it clear to the Iraqis that until the Shatt-al-Arab question was satisfactorily settled there could be no progress on other fronts. In answer to the Ambassador's question Afshar said that the Iraqis had agreed once more to set up various mixed

A. R. Moore, Esq., C.M.G.,
Near Eastern Department,
F.C.O.



commissions to discuss outstanding problems, but the Iranians were waiting for names. He speculated as to whether or not these would be forthcoming in the near future, seeming somewhat dubious that they would.

5. We know that the Shah considers that from his point of view the present Iraqi regime is about as good as he could reasonably hope for and would like, if possible, to help it survive. Even so, we fear that the prevailing scepticism about the prospects of concrete settlements of outstanding disputes is probably well-founded.

Yours ever,

A handwritten signature in cursive script, appearing to read 'Charles'.

(C. D. Wiggin)

Cc. to:

P. McKearney, Esq., BAGHDAD.
J. A. N. Graham, Esq., KUWAIT.
M. S. Weir, Esq., BAHRAIN RESIDENCY.
H. St. J. B. Armitage, Esq., JEDDA.
P. R. H. Wright, Esq., CAIRO.

CONFIDENTIAL.

⑨.

A.J. Beamish Esq.,

F.C.O.



RECEIVED IN
ARCHIVES No. 15

27 JAN 1969
NEQ 3/324/1

With the compliments of

M.C.S. Weston.

Mrs. Mahmud ^{Mr?}

PMVA. Mrs. Hinchcliffe Reg. ^{NEQ} Q

27/1

BRITISH EMBASSY

TEHRAN

23 January 1969.

CONFIDENTIAL

CONFIDENTIALBritish Consulate,
Khorramshahr.

13 January 1969.

2. H. of C

C

M. Dawson

Jan 14

1. Day of

copy to

Mansur

Daniel

(FCO) &

Lambert

(Baghdad)

Dear Charles,

You will have seen in the press that the Governor-General of Khuzistan, accompanied by the Governors of Abadan and Khorramshahr, has been paying a week's visit to Iraq on the invitation of the Governor-General of Basra. I understand that this visit was the outcome of a long-standing invitation and was not directly related to the closer co-operation between the two countries envisaged in the recent discussions in Tehran with the Iraqi Deputy Prime Minister. The Iraqis have in fact for some time felt it necessary to make a gesture of this kind in reply to the frequent invitations extended to Iraqi officials to visit Iran.

2. I saw Salour in Ahwaz the day after his return, but he had little, beyond generalities, to say about the trip. The party visited Basra and Baghdad and also took the opportunity to go to the Shia Holy Places. The Iraqis seem to have gone out of their way to be friendly and the party was well received everywhere. In Baghdad they met the President and various Ministers, while in Basra the Governor-General made an anodyne appearance on the newly instituted television service. It does not seem that any serious discussions took place, and I got the impression that Salour has returned convinced of the instability of the Iraqi Government, and that negotiations with the present leaders, even at local level, would not be very productive.

3. Nevertheless, it did emerge that the committees being established as a result of the Tehran discussions are shortly going into business and that the first talks on the frontier questions are expected to be held in the middle of this month. Salour implied that the Shatt-al-Arab problem would be the most important item on the agenda, and expressed strong dissatisfaction on familiar lines with the present undefined boundary, particularly in so far as it denied Iran revenues from shipping operations.

4. Whether the Iranians are likely to get any satisfaction is another matter. In a subsequent conversation, Ajjam, the Iraqi Consul, confirmed that nothing of importance had emerged from the Governor-General's visit and that the frontier committee would soon meet, but indicated that the Iraqi attitude on the Shatt would be pretty inflexible. Ajjam suggested that his Government might go so far as to give formal recognition to the present unofficial position which, as you know, places the frontier at the low water mark on the Iranian side of the river, except for the 1937 modification whereby two not very closely defined rectangular areas immediately in front of the jetties at Abadan and Khorramshahr were regarded as Iranian waters. This modification was of course denounced by Iraq in 1959 and was the cause of one or two serious incidents when Iranian/Iraqi relations were at their lowest ebb. Largely perhaps because of Iranian forbearance there does not seem to have been much serious friction in the last few

/years



CONFIDENTIAL

years, and the Iraqis might well formally accept a position which would still leave them in control of navigation in the Shatt. But Ajjam was quite adamant that there could be no question of fixing the boundary on the talweg for the whole length of the river frontier - which will presumably be the Iranian demand. And indeed it would be unrealistic to expect a Government, as weak as the present Iraqi one seems to be, to agree to any concession of this kind, involving as it would the loss of control of the Shatt.

*Y
Ans. dms.*

Derrick

(D.F. Burden)

Minutes
RECEIVED IN
ARCHIVES No.15
16 FEB 1963
NEQ 3/324/1

Ref. ea m
Iraq / Iran
relation
file.
MWH
18/2

NOTHING TO BE WRITTEN IN THIS MARGIN

MISSION BACK FROM IRAQ

THE 21-man Iranian political mission to Iraq returned to Tehran yesterday morning at the conclusion of a visit of nearly three weeks.

The mission, headed by Foreign Ministry Political Under-Secretary Abbas Khalatbari, held extensive negotiations with Iraqi authorities on outstanding issues between the two countries.

Khalatbari was not available for comment yesterday, but informed sources said the negotiations had been "successful in clearing the ground for the undertaking of really serious business."

Iraq's Ambassador to the Imperial Court, Mohammad Hossein al Yassin, who returned from Baghdad yesterday after a two-week stay, said he did not know the details of the negotia-

Mission

(Continued from page 1)
tions as he had not participated in them. "Nevertheless," he said, "my impression is that much positive work has been done".

Al Yassin met Iraqi President Marshal Ahmad Hassan al Bakr Tuesday before he left for Tehran. He told "Kayhan" yesterday that al Bakr wished to improve relations with Iran.

Informed sources here said yesterday the Baghdad negotiations should be considered as preparatory work for further talks. Discussions may be held later to finalize agreements worked out by experts from both sides. Issues covered at the Baghdad negotiations include a new agreement on shipping in Shatt-al-Arab, frontier adjustments and a treaty on the Persian Gulf continental shelf.

AL KAYHAN
13/2/61

FOLIO (11)

TRANSFERRED

TO NEQ 3/318/1

CONFIDENTIAL

12



BRITISH EMBASSY

TEHRAN

(3/40)



20 February, 1969.

In Hinchcliffe. We do not seem to have had anything from Baghdad?

Reg

Dear Donald,

Irano/Iraqi Relations

Please refer to Charles Wiggin's letter 3/40 of 19 December, 1968 to Tony Moore.

2. The Iranian delegation led by Dr. Khalatbari have now returned home after spending some two to three weeks in Baghdad, discussing outstanding problems between the two countries. The Ambassador asked Khalatbari on 18 February whether anything had been achieved during the talks. He said that the Iranians had not expected anything to come out of them and nothing, in fact, had. The trouble was that anything could be expected so long as the Iraqis had such a weak Government. In answer to the Ambassador's question, Khalatbari said that the two sides would, however, go on talking.

Yours ever,

Michael.

(M.C.S. Weston)

D.J. Makinson, Esq.,
Near Eastern Department,
F.C.O.

cc: A.E. Saunders, Esq., Baghdad.

CONFIDENTIAL

~~Mr. Aelard~~ $\frac{15}{2}$

Mr. Weston's letter, attached, describes the first official visit by an Iranian delegation to Baghdad for some time. Unofficial, high level exploratory talks paved the way for this visit which is of some significance in the context of Irano/Iraqi relations.

2. We have had no word from our Embassy in Baghdad on this and such little information that we have, has been gleaned from the Iranian England language newspaper and monitoring reports of Baghdad radio.

3. I attach a draft letter for next Thursday's bag which, as it implies criticism of the lack of information coming from our Embassy, should, I think, be signed by you.

P. R. M. Hinchcliffe

(P. R. M. Hinchcliffe)
24 February, 1969.

RESTRICTED

Near Eastern Department,

14

26 February, 1969.

NEQ 3/324/1

⑫

Irano/Iraqi Relations

You will have seen the brief report (3/40 of 20 February) from Michael Weston in Tehran, copied to Bertie Saunders, on the recent visit of an Iranian delegation, led by Dr. Khalatbari to Baghdad. Although the Iranians do not seem to feel that their journey was really necessary, despite the high level composition of their delegation, it would be interesting to know if you have been able to glean any reactions from the Iraqi side of the house.

(A. A. Acland)

**P. McKearney, Esq.,
Baghdad.**

RESTRICTED

RESTRICTEDDRAFT LETTER

To: P. McKearney.

From: A. A. Acland.

IRANO/IRAQI RELATIONS*Michael Wernin*

You will have seen the
~~We have had a brief report from~~ Tehran,
Berie
~~which was copied to~~ *Mr.* Saunders *(3/40 dated*

20 February), on the recent visit of an

Iranian delegation, led by Dr. Khalatbari

to Baghdad. Although the Iranians ~~did~~ *do* notseem to ~~have felt~~ *feel* that their journey was

really necessary, despite the high level

composition of their delegation, it would be

interesting to know if you have been able to glean
~~useful to have any reactions/~~ *from* the Iraqi side
 of the house.

[Signature] $\frac{25}{2}$

RESTRICTED

NOTHING TO BE WRITTEN IN THIS MARGIN

CONFIDENTIAL

(15)

BRITISH EMBASSY,

BAGHDAD.



Then register

PMH 6/3

This has crossed my letter at 1/14 asking for info.

Dear Sir,

Iran/Iraq Relations

According to the Baghdad Observer of 26 February, Dr. Abbas Ali Khalat Bari has told an Iranian newspaper that an Iraqi delegation is likely to visit Iran soon for talks on matters of common interest. He is also reported to have said that no agenda had yet been drawn up, but that the outstanding problems between the two countries will be taken by the seven competent committees.

2. The Baghdad Observer neither confirms nor denies the report, but since the newspaper is the mouthpiece of the Government the authorities must wish to put across the idea that talks will probably take place. At any rate it is the first mention of Iran in this context since the Iranian delegation led by Dr. Khalat Bari left Baghdad on 12 February. You may recall that the delegation arrived here on 27 January - the day on which the spies were executed. The first talks took place on 1 February when appropriate courtesies were exchanged, but they then went into secret sessions. There was no communiqué when the Iranians left and nothing of any significance was said publicly by Dr. Khalat Bari before his departure.

3. Our Iranian colleagues have told us that after their delegation's arrival the Iraqis postponed meeting them several times. When the two sides at last met, little progress was made, and after some long but inconclusive sessions the Iranians decided that no useful purpose would be served by continuing. This is apparently no more than the Iranians expected, but they thought it important that they should be seen to be willing to follow up General Hardan al-Tikriti's apparently genuine wish for better relations expressed during his visit to Tehran in December (Tehran's letter 3/40 of 19 December 1968).

(8)

Yours sincerely,

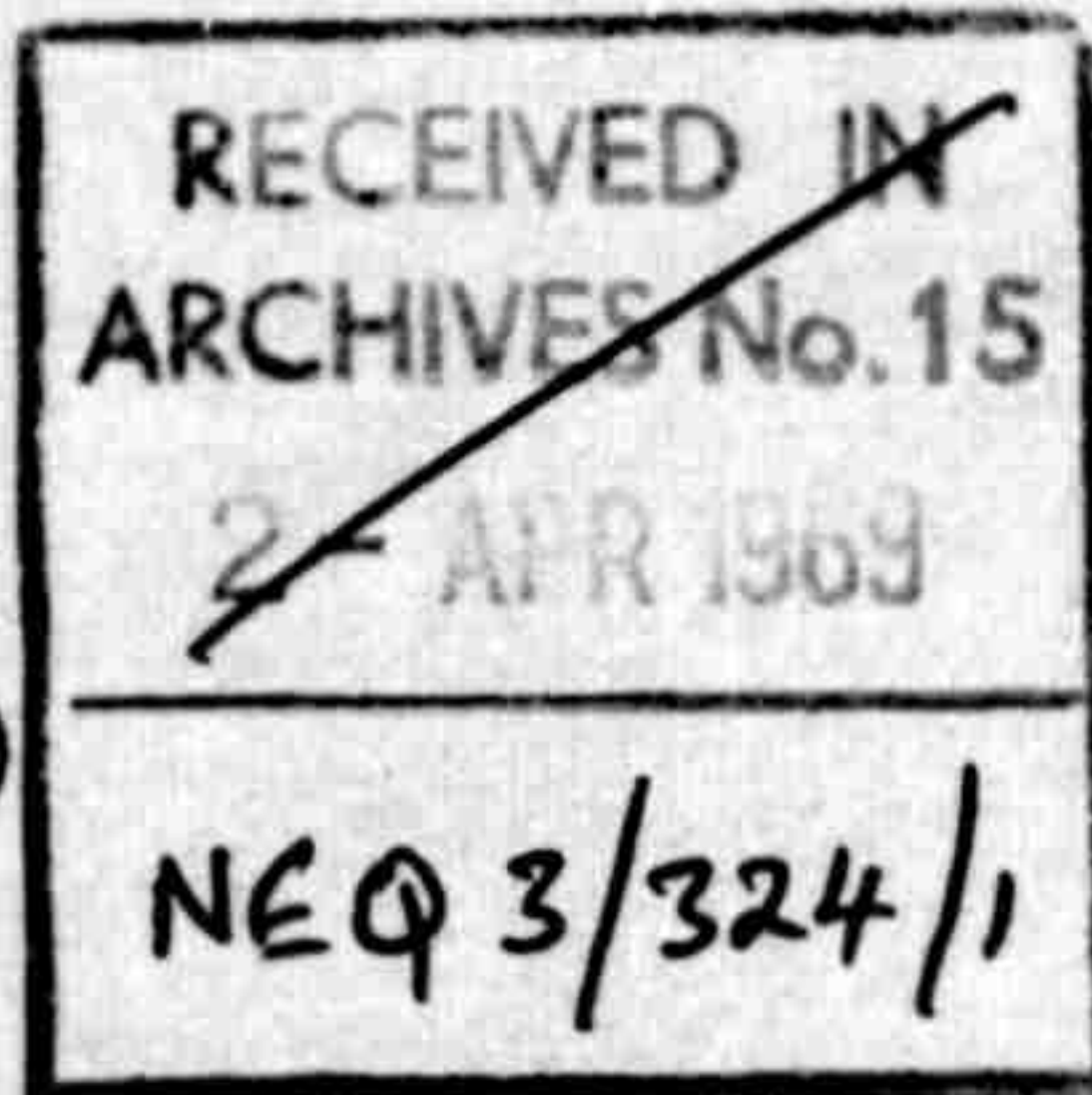
(A. E. Saunders)

P. R. M. Hinchcliffe, Esq.,
Near Eastern Department,
F.C.O.,
London, S.W.1.

c.c. Chancery,
TEHRAN.

PMH
10/3

CONFIDENTIAL



BRITISH EMBASSY

TEHRAN

27 March, 1969.

(3/40)

Under the Ottoman agreement the Shatt is Iraqi territorial water.

Dear Donald,

Irano/Iraqi Relations

*Mr. Kuchel 1/4
Mr. Acland 2/4
Mr. Tripp 2-4*

When our Naval Attache was at the Iranian Navy headquarters on 26 March, he learned in confidence, which should be respected, that the Ministry of Foreign Affairs had just received a Note from the Iraqis to the effect that all Iranian ships going up the Shatt-al-Arab must, in future, hoist the Iraqi flag. The Note added that in future if Iranian merchant ships continued to fly the Iranian flag on passage up the Shatt they would be stopped and searched by the Iraqi Navy. Handley was told that the Iranians were sending a Note in reply stating that they did not accept the Iraqi Note, and that they would not allow their ships to be stopped and searched.

2. There was recently a report in the press that an Iranian fisherman had been fired on and killed by the Iraqis in the Shatt, and that the Iranians had protested formally to the Iraqis. This, too, we have heard has blown up into a major row.

3. We should be interested in any comments Baghdad may have on these stories.

*Yours ever,
Michael.*

(M. C. S. Weston)

D.J. Makinson, Esq.,
Near Eastern Department,
F.C.O.

cc: A.E. Saunders, Esq., Baghdad.

1/4

CYPHER/CAT A

CONFIDENTIAL

ROUTINE TEHRAN
TELEGRAM NO.277

TO FOREIGN AND COMMONWEALTH OFFICE
29 MARCH 1969.

(17)



TOP COPY

CONFIDENTIAL

ADDSD TO FCO TELNO 277 OF 29 MARCH RFI BAGHDAD BAHRAIN RESIDENCY
AND KUWAIT

WESTON'S LETTER 3/40⁽¹⁶⁾ OF 27 MARCH TO MACKINSON (NOT TO ALL):
IRANO-IRAQI RELATIONS.

H M CONSUL IN KHORRAMSHAHR HAS REPORTED TROOP MOVEMENTS INVOLVING
UP TO 3000 MEN IN THE ABADAN AREA. THESE FOLLOW RUMOURS THAT
IRAQI FORCES ON THE RIVER AND AT THE PORT OF BASRA HAVE BEEN
STRENGTHENED.

F C O PASS ROUTINE BAGHDAD.

SIR D. WRIGHT

/REPEATED AS REQUESTED/

DEPARTMENTAL DISTRIBUTION

NEAR EASTERN DEPT.

ARAVIAN DEPT.

DEF. POL. DEPT.

P.U.S.D.

NEWS DEPT.

pe PNM

3/4

CONFIDENTIAL

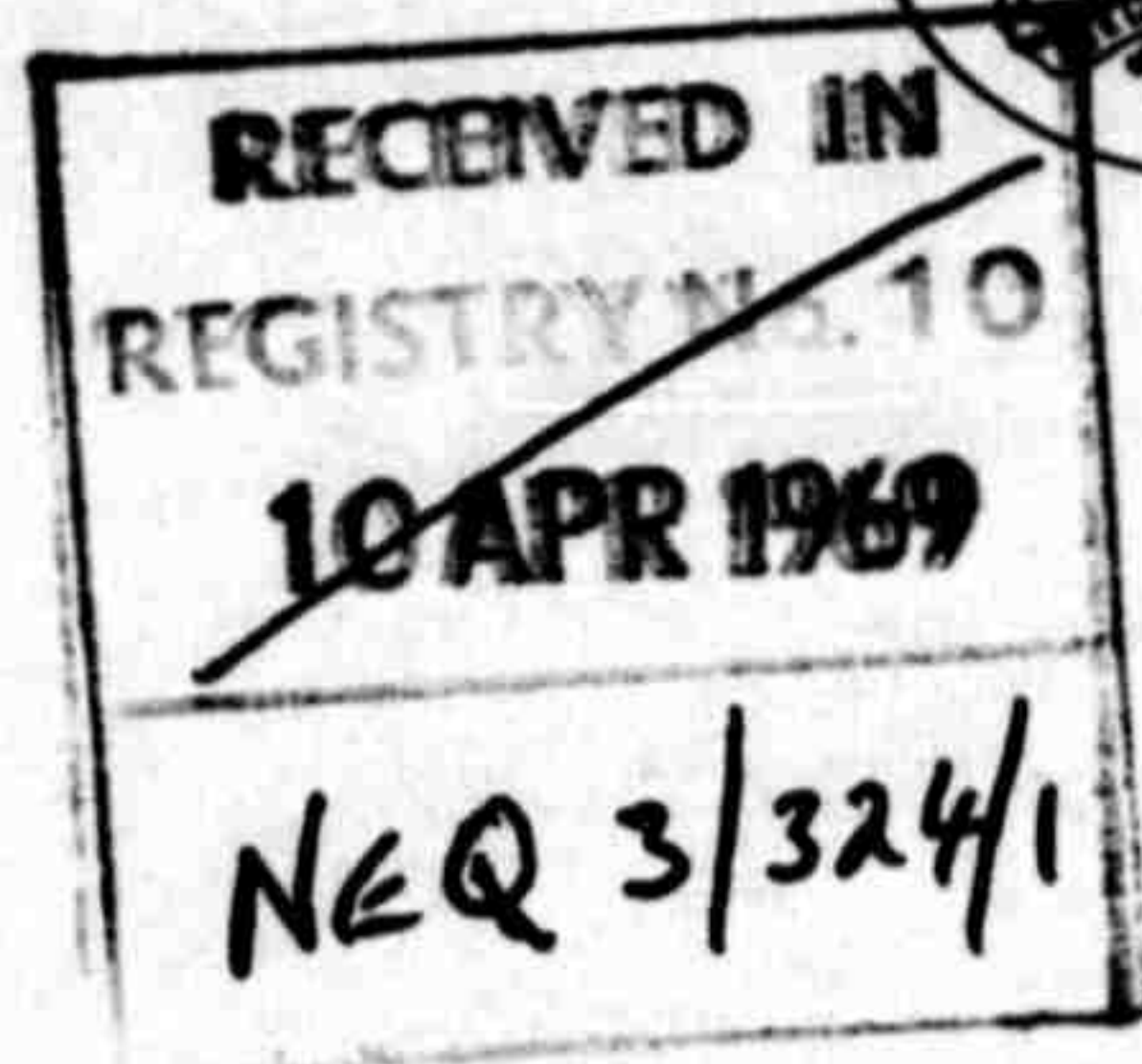
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BRITISH EMBASSY

TEHRAN

3 April, 1969.

(3/40)



Don 9/4
 Mr. Acland
 Mr. Hinchcliffe
 Reg

Dear Donald,

Irano/Iraqi Relations

Please refer to my letter 3/40 of 27 March (not copied to Bahrain or Kuwait) and to our telegram No. 277 of 29 March to the F.C.O.

2. We have received a further report on this subject from the Consulate in Khorramshahr. The Naval Liaison Officer has made enquiries at the Iranian naval base there and been told the object of the Iraqi search of ships sailing up the Shatt is ~~to check~~ to check on arms shipments to Iran. The Iranian Navy have told him that they would intervene if any Iranian ship was stopped but that they would not take any action to prevent the search of a British or other foreign ship, even in the unlikely event of its carrying an arms cargo for Khorramshahr or Abadan. Virtually all military shipments are off-loaded at Bandar Shahpour or another port outside the Shatt and the Iranian authorities are said to be taking steps to ensure that for the time being any ship with a Government cargo is being diverted to Bandar Shahpour. The Consul will notify us of any attempt by the Iraqis actually to search ships on the Shatt. So far Gray Mackenzie have had no report of any foreign ship being stopped.

3. The Ambassador asked the Minister of Foreign Affairs on 30 March whether he could tell him anything about the present state of Irano/Iraqi relations. In reply, Zahedi was more incoherent than usual but made it clear that relations had deteriorated seriously recently. He said that the Iraqis had mistaken Iranian friendliness for weakness so that the time had now come for the Iranians to show their strength. He confirmed reports which we had received from others that the Iraqis have rejected an Iranian Note and vice versa. He said that the Iranians had embarked on some "manoeuvres" in the Shatt-al-Arab area and had informed the Iraqis that any interference with shipping on the Iranian side of the Shatt would be met with force. He also said that if the Iraqis were not prepared to provide pilots, the Iranians would put their own pilots aboard their ships coming up the Shatt.

D.J. Makinson, Esq.,
 Near Eastern Department,
 F.C.O.



4. We have consulted the American Embassy but they have nothing to add. General Djam told Commodore Lee-White, C.N.F.G., when he was up here for a farewell visit earlier in the week, that the Iranians were digging in some of their non-running M.47 tanks along the Shatt to deal with Iraqi ships.

Yours ever,
Michael.

(M.C.S. Weston)

cc: A.E. Saunders, Esq., Baghdad.
M.S. Weir, Esq., Bahrain Residency.
D.E.S. Blatherwick, Esq., Kuwait.

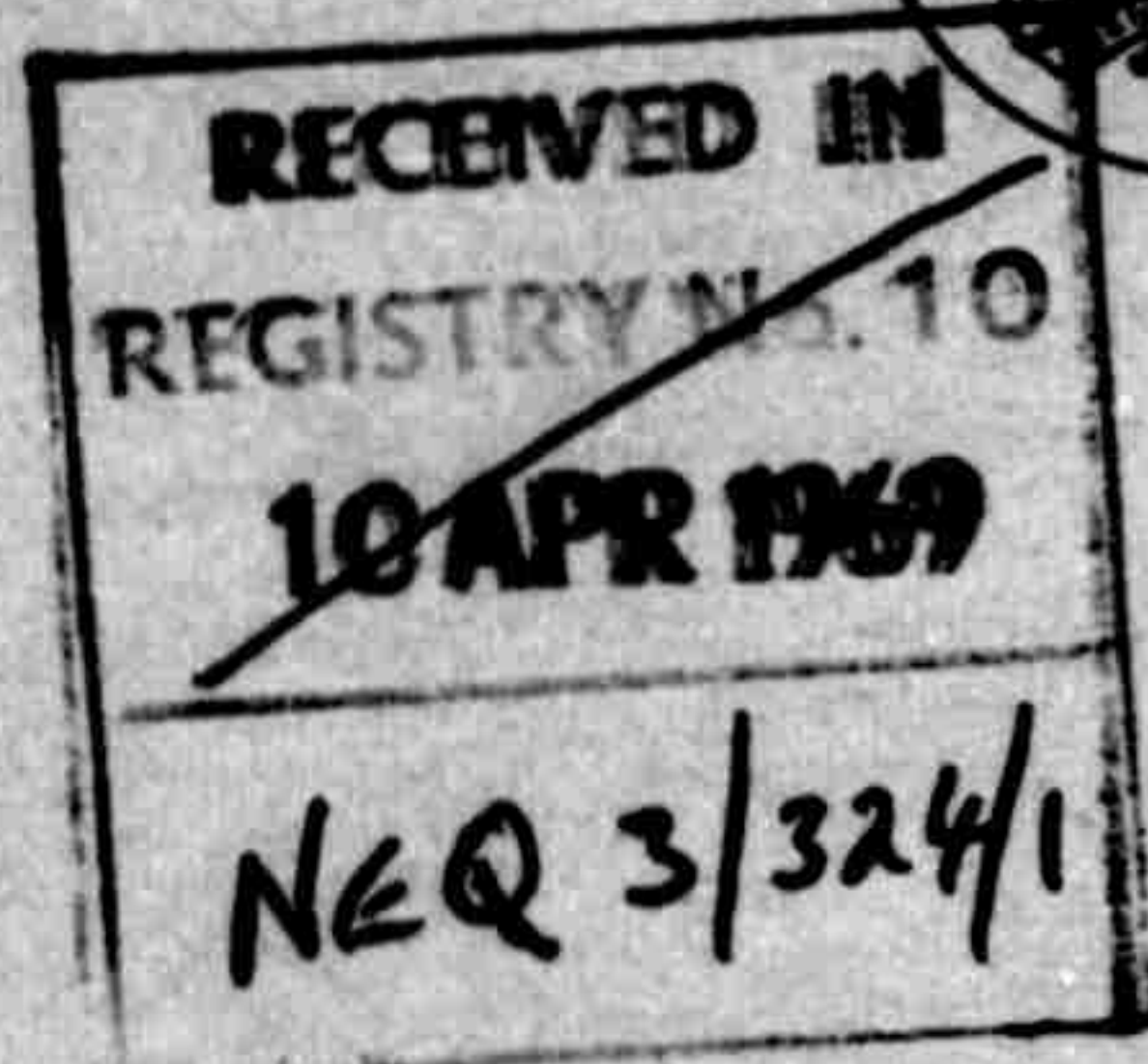
14/11/17

H/4

BRITISH EMBASSY

TEHRAN

3 April, 1969.



(3/40)

Dm 9/4

 in 'Academy' 11/4
 in 'Hincheliff' 4/4

Reg

Dm Dmell,

Irano/Iraqi Relations

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D.J. Makinson, Esq.,
 Near Eastern Department,
 F.C.O.

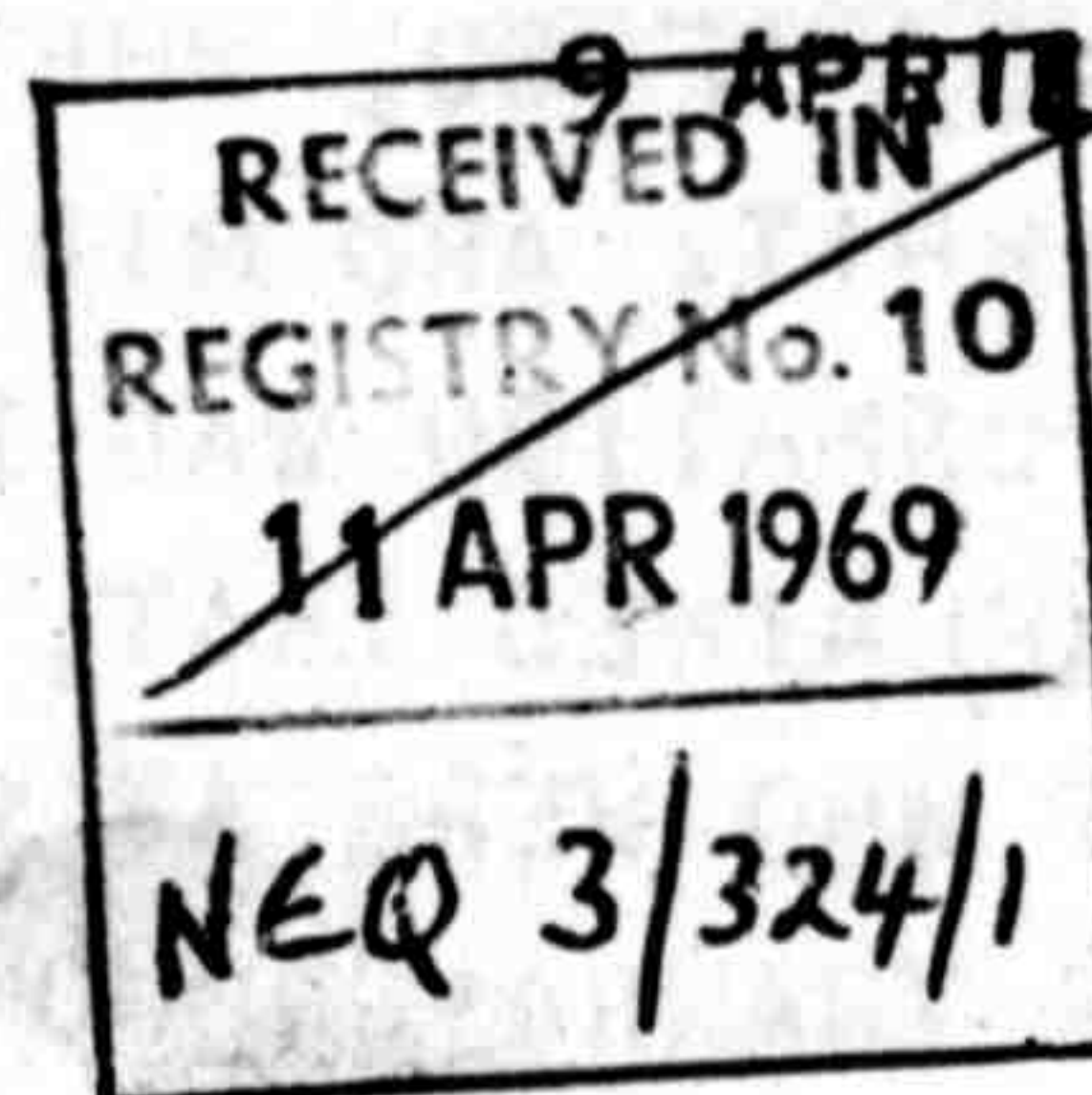
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CYPHER/CAT A

ROUTINE BAGHDAD

TELEGRAM NUMBER 350

TO FOREIGN AND COMMONWEALTH OFFICE



TOP COPY

CONFIDENTIAL.

ADDRESSED TO F.C.O. TELEGRAM NUMBER 350 OF 9 APRIL RPT FOR
INFORMATION TO TEHRAN BAHRAIN RESIDENCY AND KUWAIT.

IRAQI / IRANIAN RELATIONS.

MY IRANIAN COLLEAGUE CALLED ON ME YESTERDAY
AND SPOKE OF 1) INCREASED IRAQI ACTIVITY IN PERSIAN
GULF WHICH HE THOUGHT WAS DIRECTED AGAINST IRAN,
AND 11) THE ATTACKS ON C-E-N-T-O AND IRAN CONTAINED
IN STATEMENT BY ARRESTED COMMUNIST LEADER, AZZIZ
EL AJ, WHICH HAD BEEN CARRIED BY BAGHDAD RADIO
AND TELEVISION - PLEASE SEE MCKEARNEY'S LETTER
(1/3) OF 5 APRIL TO HINCHCLIFFE (NOT COPIED).

2. DR. AMELI THOUGHT THAT HE MIGHT HAVE TO PROTEST
AGAINST THESE ATTACKS WHICH WERE A REPETITION OF
THESE MADE AT TIME OF SPY TRIALS, AND ASKED WHETHER
I WOULD BE DOING LIKEWISE. HE SAID THAT TROUBLE WITH
OUR ARAB FRIENDS WAS THAT, UNLESS THEY WERE PULLED UP
SHARPLY, THEY WOULD CARRY ON THEIR ATTACKS WITH
INCREASED VIOLENCE. I REMINDED HIM THAT WE HAD BEEN PILLORIED
IN IRAQI PRESS AND ON IRAQI RADIO FOR PAST TWO MONTHS,
BUT IT NOW LOOKED AS IF STORM WAS BLOWING ITSELF
OUT. IT WAS OFTEN BETTER NOT TO TAKE THESE THINGS
TOO TRAGICALLY. DR. AMELI THOUGHT THAT HMG COULD
PERHAPS AFFORD TO SHOW MORE PATIENCE ' IRAQ WAS ONLY
ONE OF MANY COUNTRIES IN WHICH HMG HAD INTERESTS
' BUT FOR IRAN, IRAQ WAS AN IMMEDIATE NEIGHBOUR AND TEHRAN
WAS VERY SENSITIVE ABOUT ALL THAT HAPPENED HERE.

/3.

CONFIDENTIAL

3. AS REGARDS PERSIAN GULF, DR. AMELI ASKED WHETHER HMG WERE STILL RESPONSIBLE FOR FOREIGN RELATIONS OF GULF STATES AND, IF SO, WHETHER CURRENT VISIT BY GENERAL TAKRITI AND MINISTERS FOR FOREIGN AFFAIRS AND CULTURE AND INFORMATION WAS BEING MADE UNDER THEIR AUSPICES. I EXPLAINED THAT, IN CASE OF D.G. OF PORTS AND HIS PARTY WHO WERE AT PRESENT VISITING GULF IN M.V. QUOTE THAWRA UNQUOTE, MY CONSULAR SECTION HAD TRANSMITTED THE VISA APPLICATIONS, WHICH HAD IN DUE COURSE BEEN APPROVED BY RULERS. GENERAL TAKRITI AND HIS COLLEAGUES HAD NOT, I TOLD HIM LATER AFTER CHECKING, APPLIED TO US FOR VISAS, HAVING PRESUMABLY RECEIVED PERSONAL INVITATIONS FROM RULERS CONCERNED. I AGREED THAT IRAQIS WERE SHOWING MORE INTEREST IN GULF, BUT MADE POINT THAT THEIR ATTITUDE TO PROJECTED FEDERATION WAS UNEXCEPTIONAL.

But
See
Memorandum from
Baghdad Radio
on

VB3/357/1

4. MY IRANIAN COLLEAGUE ALSO ASKED WHETHER IRAQIS WERE TRAINING BAHRAINI OFFICERS AND WHETHER ANY DEFENCE ARRANGEMENTS HAD BEEN CONCLUDED DURING VISIT OF CROWN PRINCE TO BAGHDAD.

I SAID THAT I HAD HEARD THAT IRAQIS HAD OFFERED PLACES IN THEIR MILITARY COLLEGE, BUT DID NOT KNOW WHETHER BAHRAINIS HAD ACCEPTED. I HAD CERTAINLY NO KNOWLEDGE OF ANY DEFENCE ARRANGEMENTS.

5. AMELI ADMITTED THAT RELATIONS BETWEEN TEHRAN AND BAGHDAD WERE IN A POOR SHAPE. THE IRAQIS JUST COULD NOT BE TRUSTED. EVEN WHEN THEY WERE PROFESSING DISLIKE OF NASSER AND SEEKING TO IMPROVE THEIR RELATIONS WITH IRAN, THEY HAD BEEN ACTUALLY PLANNING SOME FORM OF UNITY BETWEEN IRAQ, EGYPT AND SYRIA. I SAID I DOUBTED WHETHER IRAQIS HAD MUCH LOVE FOR EGYPTIANS AND SUGGESTED THAT THEIR EFFORTS IN SYRIA WERE TO SOME

CONFIDENTIAL

BAGHDAD TELEGRAM NO. 350 TO F.C.O.

- 3 -

EXTENT DIRECTED AGAINST CAIRO. MY VIEW, FOR WHAT IT WAS WORTH, WAS THAT THERE SOME ELEMENTS HERE WHO HAD BEEN GENUINELY SEEKING TO COME TO AN UNDERSTANDING WITH TEHRAN.

6. IN CONCLUSION, AMELI SAID THAT IT WAS DIFFICULT TO KNOW WHERE REAL POWER RESIDED IN IRAQ. REGIME REPRESENTED A DELICATE BALANCE BUT HE THOUGHT THAT IT MIGHT WELL LAST. I AM INCLINED TO AGREE WITH HIM.

7. IT IS NOT, I THINK, TO OUR INTERESTS THAT RELATIONS BETWEEN BAGHDAD AND TEHRAN SHOULD DETERIORATE (SEE MY LETTER 1/8 OF 18 SEPTEMBER TO SIR DENIS ALLEN.). WHETHER THERE IS MUCH WE CAN DO ABOUT IT IS ANOTHER MATTER.

8. IT IS, OF COURSE, POSSIBLE THAT AMELI'S QUESTION REFLECTED SOME SUSPICION ON HIS PART THAT WE HAVE BEEN ENCOURAGING IRAQIS TO TAKE MORE INTEREST IN GULF.

MR EVANS

FCO DISTRIBUTION
N.E.D.

AAAAA

CONFIDENTIAL

PC MWA

14/4

Mr. Asland

Mr. Tripp has asked us if we agree with the views (underlined in ink) in paragraphs 5 and 6 of attached telegram.

2. The Iraqis do not like the Egyptians and have resented their influence in Syria, which was at its peak in the days of the Union. Internally the Ba'ath regime has dropped its initial attempt (never more than half hearted) to appease the Nasserite faction in the country and is now regarded with grave suspicion by the element which has a following mainly in the middle ranks of the armed forces.

3. It is probably true to say that the Ba'ath regime's efforts in Syria are directed against the U.A.R. (in so far as they have any coherent and consistent policy at all) to the extent that they would like to see a strong and loosely united Eastern Command ~~block~~ which would be better able to keep Egyptian military and political influence in the area to a minimum (especially in Syria).

4. It is difficult to say with any certainty where power lies in Iraq. There is a delicate balance between the "doctrinaire Baathists" who are "led by" Ammash (Deputy Prime Minister and Minister of the Interior) and the more flexible party members who could be said to adhere to the other deputy premier and Minister of Defence, Hassan al Takriti. The former group are in favour of a certain amount of ties with the Eastern bloc while the Takriti clique are more ~~Western~~ ^{Western} looking and would, for instance, welcome a Syrian regime less dependent on the U.S.S.R.

5. I think that it is true that the Iraqi regime has lasted and indeed will last longer than first expected mainly because it is prepared to be ruthless in dealing with the enemies within at the expense of its image abroad.

P.R.M. Hinchcliffe

(P.R.M. Hinchcliffe)
Near Eastern Dept.
11 April, 1969

You have, on separate papers, our current thinking on UK involvement in Iraqi/Iranian relations (§ 7 of Baghdad telegram No. 350).

2. Mr Hinchcliffe will, as evidence

emerges

RECEIVED IN
REGISTRY No. 10

15 APR 1969

NEQ 3/324/1

emerges, prepare an assessment
of Iraqi aims in the Persian Gulf.
I think that, essentially, the Iraqis
want to preempt Iranian influence.

JA Acland
14/4

M. Jupp Rayman. J.B. 15.4.

Euler

1.4.4.

1.4.4.

11/3/34

(P.R.M. Mitchell)
Near Eastern Dept.
11 April, 1959

You have a separate paper on
current thinking on the situation in
Iraq/Persian Gulf area (8/7 of 1954-55)
Telephone No. 2507.

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(21)

CYPHER/CAT A

PRIORITY TEHRAN TO FOREIGN AND COMMONWEALTH OFFICE

TELNO 328

16 APRIL 1969

CONFIDENTIAL

ADDSO TO FCO TELNO 328 OF 16 APRIL

(18)

RFI BAHRIAN RESIDENCY BAGHDAD AND KUWAIT

RECEIVED
REGISTRY
17 APR 1969
NEQ 3/324/1

WESTON'S LETTER 3/40 OF 3 APRIL TO MAKINSON: IRANO-IRAQI
RELATIONS.

H M CONSUL IN KHORRAMSHAHR HAS REPORTED THAT THE IRANIAN BUILD
UP IS CONTINUING. FURTHER TROOPS HAVE BEEN MOVED SOUTH FROM AHWAZ
AND IRANIAN F5 AIRCRAFT ARE MAKING REGULAR FLIGHTS IN PARIS OVER
THE RIVER.

2. MY NAVAL ATTACHE LEARNED FROM IRANIAN NAVAL HEADQUARTERS THIS
MORNING THAT ALL IRANIAN NAVAL SHIPS APART FROM THOSE ESCORTING
IRANIAN MERCHANT VESSELS UP THE SHATT HAVE BEEN MOVED OUT FROM
ABADAN AND KHORRAMSHARH AS A PRECAUTIONARY MEASURE AND THAT THE NAVY
ARE PREPARED FOR TROUBLE. THEY CLAIM TO HAVE EVIDENCE THAT THERE ARE
NOW UP TO 10,000 TROOPS IN BASRA AND ON THE SHATT.

3. THE FACT THAT THE SHAH HAS GONE AHEAD WITH HIS STATE VISIT TO
TUNISIA CONFIRMS MY BELIEF THAT THE IRANIANS DO NOT HAVE AGGRESSIVE
INTENTIONS BUT WITH SO MANY TROOPS IN THE AREA THERE IS, OF COURSE,
THE DANGER OF A FLARE UP AT ANY TIME, PARTICULARLY SINCE THE IRAN-
IANS ARE REPORTED TO HAVE INSTRUCTED THEIR MERCHANT SHIPS
NOT REPEAT NOT TO TAKE ON BOARD IRAQI PILOTS OR FLY IRAQI FLAGS
IN THE RIVER.

FCO PASS PRIORITY TO BAGHDAD AND KUWAIT.

SIR D. WRIGHT

[REPEATED AS REQUESTED]

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N. EAST. D.

MOD INTERNAL

CONFIDENTIAL

to RUM
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CONFIDENTIAL

TOD ADV

CYPHER/CAT.A

PRIORITY TEHERAN TO FOREIGN AND COMMONWEALTH OFFICE

TELNO. 329

16 APRIL, 1969

CONFIDENTIAL

RECEIVED IN REGISTRY NO. 10 17 APR 1969 NEQ 3/324/1

M I P T: IRANO-IRAQI RELATIONS

I HAVE JUST HEARD FROM ONE OF THE BRITISH AIRCRAFT CORPORATION TEAM HERE ON THE RAPIER PROJECT THAT THE IRANIAN AIR DEFENCE COMMANDER IS AT VAHDATI (DEZFUL) AIR BASE PREPARING A HURRIED AIR-FIELD DEFENCE PLAN. THE SAME INFORMANT TELLS ME THAT WING COMMANDER LEDLIE, THE RAF REGIMENT ADVISER ON TIGERCAT TRAINING,, IS ALSO AT VAHDATI BUT EXPECTED BACK TOMORROW.

2. I HAVE NO REASON TO SUPPOSE THAT LEDLIE WILL GET HIMSELF INVOLVED IN CURRENT OPERATIONS BUT WILL WARN HIM OF THE DANGERS WHEN HE RETURNS TO TEHRAN.

SIR D. WRIGHT

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MOD (INTERNAL)

R. P. 17/4

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CYPHER/CAT A

PRIORITY TEHRAN TO FOREIGN AND COMMONWEALTH OFFICE

TELNO 333

17 APRIL 1969

CONFIDENTIAL



ADDRESSED TO FCO TELEGRAM NO. 333 OF 17 APRIL,
REPEATED FOR INFORMATION TO BAGHDAD, BAHRAIN RESIDENCY AND KUWAIT.

MY TELEGRAM NO. 328: ⁽²¹⁾ IRANO-IRAQI RELATIONS.

WE HAVE NOW LEARNED FROM A RELIABLE IRANIAN SOURCE THAT THE
IRANIANS HAVE DISCOVERED THAT THEY HAVE NO PILOTS QUALIFIED TO
TAKE MERCHANT VESSELS UP THE SHATT AND THAT IN VIEW OF INSURANCE
PROBLEMS IT WILL NOT THEREFORE BE POSSIBLE FOR THEM TO INSIST ON
THEIR MERCHANT SHIPS AVOIDING IRAQI PILOTS UNTIL IRANIAN PILOTS
HAVE BEEN TRAINED. THEY ARE TALKING OF STARTING A CRASH PROGRAMME
TO THIS END AND OF MEANWHILE TRYING TO HIRE FOREIGN PILOTS.

FCO PASS PRIORITY BAGHDAD.

SIR D. WRIGHT

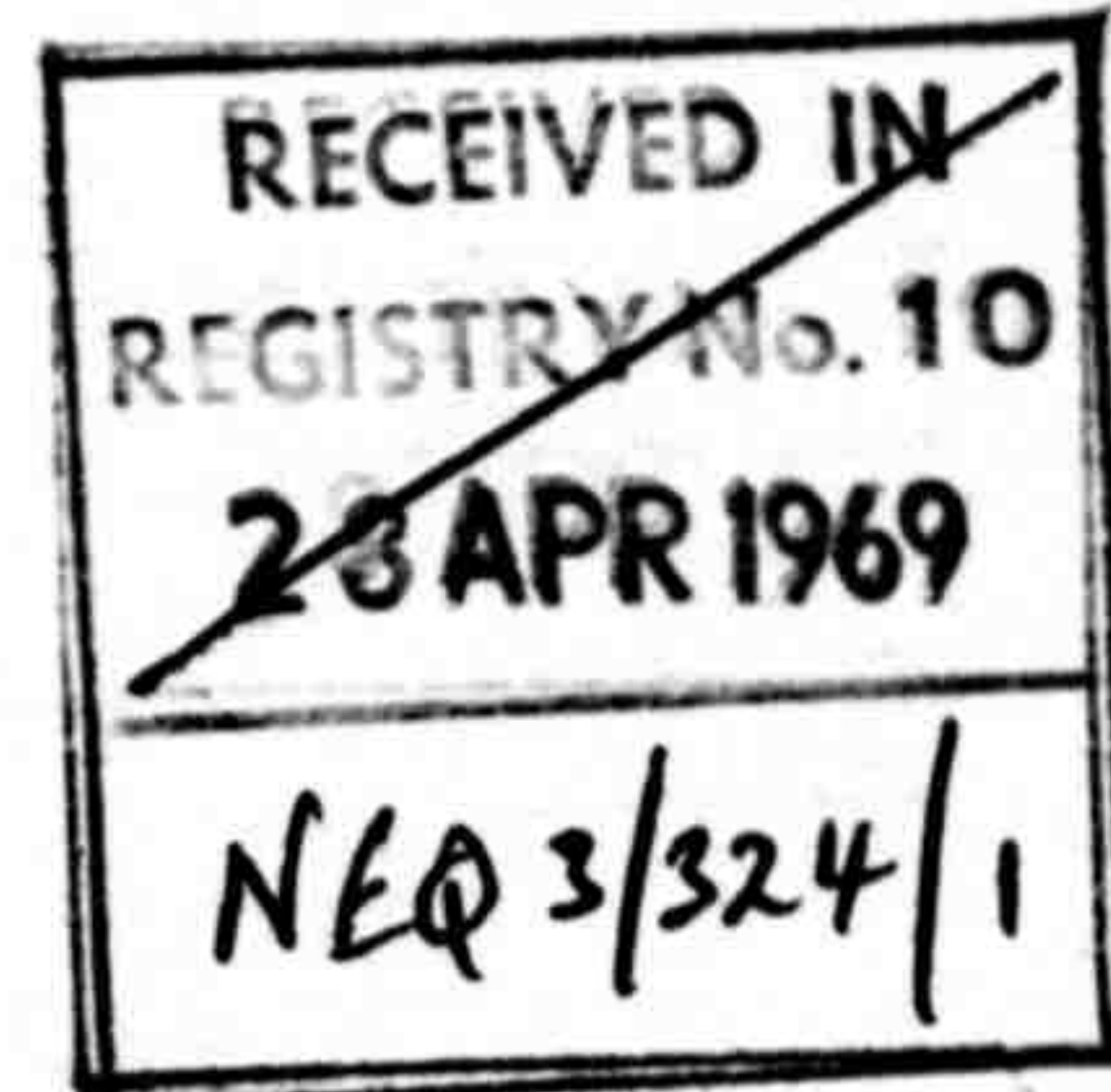
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Mr. Hayman

Mr. Arthur

Iranian/Iraqi Relations

Tehran telegrams No. 328 and 329 (attached) report military activities on the part of the Iranians and Iraqis which could lead to further incidents. The background is as follows.

2. The recent increase in tension in the Shatt Al Arab area seems to originate from an incident in mid-March when an Iranian fisherman was fired on and killed by Iraqis in the Shatt. An Iranian note of protest was rejected by the Iraqis who reminded the Iranians of their long held conviction that the Shatt al Arab was wholly under Iraqi sovereignty.
3. At the end of March the Iraqis, in a further note (rejected by the Iranians), stated that all Iranian ships must fly the Iraqi flag in the Shatt or they would be stopped and searched by the Iraqi navy.
4. This exchange of Notes coincided with the redeployment by the Iranians of some 3,000 men in the Abadan area, and the digging in of Iranian M47 tanks along the Shatt. The Iraqis were also reported to be moving troops on their side of the Shatt.
5. Reports of movements of military units (mostly on the Iranian side) have continued during April. Iranian naval ships are prepared for action and all major vessels have been moved out of the Shatt as a precautionary measure, and redeployed further down the Gulf.
6. We have consulted the Ministry of Defence, but the composition of the rival forces in the area is not precisely established. Both sides have a number of fast patrol boats in the Shatt. Iranian destroyers (the Iraqis have no big vessels) are in the Gulf. The Iranians have a division permanently in the Khoramshahr area while the Iraqi forces in Basra, including recent reinforcements, are unlikely to be more than 1,000 men plus a tank unit. (The figure of 10,000 referred to in Tehran telegram no. 328 as an Iranian estimate is certainly an exaggeration.) There are about a dozen Iraqi MIG 17/21s at Basra but they were there before the crisis blew up. The Iranians are flying F.5 Jets (roughly equivalent of MIG 17s or Hunters) over the Shatt area and these are probably operating from Shiraz or Dezful.
7. There is a large element of sabre rattling in these recent moves. Iraqi claims over the Shatt al Arab have long been resisted by the Iranians and are one of the permanent bones of contention between the two countries.

/Iranian...

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Iranian/Iraqi relations are however at a low point. The Shah is disillusioned with the present regime in Baghdad which he considers to be as unfriendly and as unreliable as its predecessors. Nevertheless he cannot want to provoke a war over the Shatt. (He has now left Tehran on a State visit to Tunis). The Iraqis can hardly afford to fight and would come off worse; they are committed in Jordan and Syria and in operations against the Kurds in the north. There remains however the possibility of serious incidents taking place in the Shatt, especially if Iraqis interfere with Iranian ships, but both sides will probably try to content themselves with a show of force. The Iranians are for the time being going to have to accept Iraqi pilots on their ships, since they have no trained pilots of their own.

8. The Iraqi troop movements which have taken place in the South are related to the Shatt dispute and there is no reason to think that they are aimed against Kuwait. Arabian Department concur in this assessment.

9. The British community at Basra numbers 67 and there are upwards of 500 British nationals at Khoramshahr (including the oil company employees at Abadan).

A.A. Acland

(A. A. Acland)
Near Eastern Dept.
17 April, 1969

c.c. Mr. McCarthy (Arabian Dept.)

Mr. Sykes (Defence Policy Dept.)

I accept this assessment, though there is plenty of room for hostilities in error or through insubordination. But the Iranians have hostages in the holy cities of Iraq and their oil production is exposed. The Shah probably intends to keep up the pressure on Iraq: the Kurds are the shaven card, but he is personally extremely sensitive about the Shatt-al-Arab - another relic of the days when Iran's weakness was exploited, he thinks.

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E. Acland 17/4.
1969

I agree with Mr Arthur's comments:
 an incident in the Shatt could always
 lead to hostilities (this has always been
 the case). But both sides have good
 reasons for trying to avoid them

~~F.H.S.~~

R. Hayman

15/4/69

M. Roberts

D. Greenhill
 18/4

1. While both sides will try to avoid major hostilities there may be a flare up in error or by indiscipline. Even more possible is a "canal-type" situation lasting as long as the 1937 Treaty remains inactive or unreplaced.
2. Such a situation would not help the consensus we seek in the Gulf. (Even thought it would preoccupy the two most "awkward customers" in the area, the results on balance would be to increase instability.)

Mr Hindle 28/4
 Mr Mahajan 28/4
 Enter c.p.a.
 25/4

3. Although we are not involved directly in the dispute, we have an interest in the situation in so far as it disturbs the prospects for stability in the southern Gulf. We might consider whether we can help to promote a settlement.

1) P.S.
 2) Mr Hayman
 C.P. (w. previous minutes)
 to private Secretary

25/4 Mr. Arnold

21/4

CYPHER CAT A
PRIORITY BAGHDAD
TELEGRAM NUMBER 370

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(25)

TO FOREIGN AND COMMONWEALTH OFFICE
18 APRIL 1969

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ADDRESSED TO FCO TELNO 370 OF 18 APRIL RFI TO TEHRAN
BAHRAIN RESIDENCY AND KUWAIT.

TEHRAN TELNO 328 AND DA TEHRAN TELNO FOH 391 16 -
01115Z TO HQ BF GULF: IRAN/IRAQ RELATIONS.

RECEIVED IN REGISTRY NO. 10 21 APR 1969 NEQ 3/324/1

ALTHOUGH LITTLE INFORMATION ABOUT
SITUATION IN SHATT AL ARAB IS AVAILABLE IN BAGHDAD, WE
ARE NOT CONVINCED THAT IRANIAN REPORTS OF AN IRAQI BUILD
UP LEADING TO PRESENCE OF 10,000 TROOPS IN THAT AREA ARE WELL
FOUNDED. WE ARE INCLINED

TO THINK THAT MOVEMENT OF AN IRAQI BRIGADE FROM JORDAN TO
AREA AT ABOUT END OF MARCH WAS A NORMAL ROTATION, NOT
A REINFORCEMENT, AND THAT NUMBER OF TROOPS THERE NOW IS
ABOUT NORMAL. THERE ARE SOME INDICATIONS THAT EIGHT
MIG 21 FIGHTER AIRCRAFT MAY RECENTLY HAVE BEEN MOVED TO
BASRA CIVIL/MILITARY AIRFIELD AND THAT AIR FORCE COMMANDER
WAS IN AREA IN LAST FEW DAYS. HOWEVER OFFICERS SEEING
OFF DCGS TO UK TODAY INCLUDED MAJORITY OF OPERATIONS AND
INTELLIGENCE STAFF OF ARMY AND A NUMBER OF KEY AIR FORCE
OFFICERS, ALL OF WHOM WERE APPARENTLY OFF DUTY AS USUAL ON
FRIDAYS.

2. REPORTED THREAT TO STOP AND SEARCH IRANIAN VESSELS NOT
FLYING IRAQI FLAG IS CERTAINLY PROVOCATIVE BUT WE HAVE
HEARD NOTHING TO SUGGEST THAT IRAQIS WISH TO PROVOKE OR ARE
PREPARING FOR A SERIOUS CONFRONTATION WITH IRAN.
MOST LIKELY EXPLANATION FOR THEIR ACTION IS PERHAPS THAT
THEY ARE ASSERTING WHAT THEY CONCEIVE TO BE THEIR RIGHTS IN SHATT
BECAUSE IRANIANS HAVE SHOWN A RENEWED TENDENCY TO PRESS FOR
CONCESSIONS. IRANIANS ALREADY HAVE GRIEVANCES OVER A NUMBER OF
OTHER ISSUES AND BLAME IRAQIS FOR FAILURE TO MAKE PROGRESS IN
DISCUSSIONS ABOUT THEM, AND IT MAY BE FLAG ISSUE IS BEING TAKEN
MORE SERIOUSLY AND HAS PROVOKED A STRONGER REACTION THAN
IRAQIS FORESAW.

3. FCO PASS TO TEHRAN KUWAIT BAHRAIN RESIDENCY AND ALSO
TO MOD AND TO HQ BF GULF.

MR. T.E. EVANS

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[REPEATED AS REQUESTED]

[SENT TO D.C.C.]

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(27)

CYPHER/CAT A

ROUTINE TEHRAN

TELEGRAM NUMBER 342

TO FOREIGN AND COMMONWEALTH OFFICE

20 APRIL 1969

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in Huncher 24/4 A.

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ADDSD TO FCO TELNO 342 OF 20 APRIL RFI BAGHDAD BAHRAIN RESIDENCY
AND KUWAIT

RECEIVED IN
REGISTRY No 10
21 APR 1969
NEQ 3/324/1

23
MY TELNO 333: IRANO-IRAQI RELATIONS

AS YOU MAY BE AWARE, VISIT OF NAIAD WAS TRANSFERRED FROM ABADAN TO KHARG AT ELEVENTH HOUR AT REQUEST OF IRANIANS. IRAQI CONSUL IN KHORRAMSHAHR HAD PREVIOUSLY TOLD H M CONSUL AT KHORRAMSHAHR THAT VESSEL WOULD BE REQUIRED TO FLY IRAQI FLAG IN THE SHATT.

2. GREY MCKENZIE REPRESENTATIVE HERE HAS RECEIVED A TELEX FROM KHORRAMSHAHR SAYING THAT ON 17 APRIL ALL LOCAL SHIPPING AGENTS WERE INFORMED THAT "DUE TO THE FLOODS" GOODS COULD NOT BE CLEARED AT KHORRAMSHAHR OR ABADAN AND SHIPS SHOULD THEREFORE BE DIVERTED TO BANDAR SHAHPOUR OR BANDAR ABBAS UNTIL FURTHER NOTICE.

3. TELEX ADDED THAT IRAQIS HAD DOUBLED PORT DUES AND PILOTAGE CHARGES ON 3 APRIL AND "NATIONALIZED ALL SHIPPING AGENCIES IN IRAQ".

F.C.O. PASS BAGHDAD

SIR D. WRIGHT

[REPEATED AS REQUESTED]

F.C.O./WHITEHALL DISTRIBUTION

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EN CLAIR

IMMEDIATE TEHRAN TO FOREIGN AND COMMONWEALTH OFFICE

TELNO 341

20 APRIL 1969

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ADDSD TO FCO TELNO 341, 20 APRIL.

RPTD FOR INFO TO BAGHDAD.

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REGISTRY NO. 10
21 APR 1969
NEQ 3/324/1

IRAQ-IRAN RELATIONS.

TODAY'S PRESS HERE SPLASHES ACTING FOREIGN MINISTER'S STATEMENT IN THE SENATE YESTERDAY ON THE SHATT AL ARAB (TEXT BY NEXT BAG). AFTER REFERRING BRIEFLY TO BORDER INCIDENTS AFFECTING IRANIAN FISHERMEN IN THE SHATT ON 6 AND 23 MARCH, AND TO WHAT HE DESCRIBED AS QUOTE STRONG ACTIONS UNQUOTE TAKEN AGAINST IRANIANS RESIDENT IN IRAQ, SOME OF WHOM HAD BEEN ARRESTED WITHOUT CHARGE, AFSHAR REITERATED THE FAMILIAR IRANIAN VIEW OF THE 1937 TREATY, WHICH THE IRANIAN GOVERNMENT REGARDS AS NULL AND VOID IN VIEW OF IRAQ'S FAILURE OVER THE LAST 30 YEARS TO MEET THE OBLIGATIONS IMPOSED ON HER UNDER ARTICLES 4 AND 5 OF THE TREATY AND ARTICLE 2 OF THE PROTOCOL, WHICH RELATE TO THE JOINT ADMINISTRATION OF THE SHATT AND THE DISPOSAL OF DUES. THE IRANIANS DID NOT RECOGNISE ANY PRINCIPLE OTHER THAN THAT OF THE THALWEG IN DETERMINING THE DIVIDING LINE IN THE SHATT.

2. AFSHAR WENT ON TO SAY THAT ON 15 APRIL THE IRANIAN AMBASSADOR IN IRAQ HAD BEEN SUMMONED BY THE IRAQI DEPUTY FOREIGN MINISTER WHO SAID THAT THE GOVERNMENT OF IRAQ CONSIDERED THE SHATT AN INTEGRAL PART OF IRAQI TERRITORY, THAT VESSELS CARRYING THE IRANIAN FLAG SHOULD LOWER THE FLAG BEFORE ENTERING THE SHATT, THAT IRANIAN NAVAL PERSONNEL SHOULD NOT BE ABOARD SHIPS ENTERING THE SHATT AND THAT IF THESE DEMANDS WERE NOT MET THE IRAQIS WOULD USE FORCE, AND WOULD NOT ALLOW VESSELS DESTINED FOR IRANIAN PORTS TO USE THE SHATT.

/3. THE

3. THE IRANIAN GOVERNMENT WISHED TO MAINTAIN AND EXPAND FRIENDLY RELATIONS WITH IRAQ, AND WAS FULLY PREPARED TO NEGOTIATE A NEW TREATY WITH IRAQ. BUT AS THE GOVERNMENT OF IRAQ HAD NOW BEEN INFORMED, QUOTE ANY VIOLATION OF IRAN'S RIGHTS OF SOVEREIGNTY IN THE SHATT-AL-ARAB OR ANY ATTEMPTS TO PREVENT SHIPS DESTINED FOR IRANIAN PORTS FROM ENTERING THE WATERWAY ANY RESTRICTIONS IMPOSED ON VESSELS CARRYING THE IRANIAN FLAG AND ANY DEMONSTRATION OF FORCE AGAINST THE IMPERIAL ARMED FORCES WILL MEET WITH THE STRONGEST POSSIBLE REACTION. THEIR FIRE WILL BE ANSWERED BY FIRE FROM THE IMPERIAL ARMED FORCES AND THE RESPONSIBILITY FOR SUCH A DEVELOPMENT, WHICH WOULD HAVE VERY WIDE REPERCUSSIONS, WOULD REST WITH THE GOVERNMENT OF IRAQ UNQUOTE.

SIR D. WRIGHT

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PRIORITY KUWAIT TO FOREIGN AND COMMONWEALTH OFFICE

TEL NO. 142

21 APRIL 1969

RECEIVED IN
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22 APR 1969
NEQ 3/324/1

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ADDRESSED TO FCO TELNO 142 OF 21 APRIL R F I TO BAGHDAD
TEHRAN AND BAHRAIN RESIDENCY.

IRAN/IRAQ.

KUWAIT'S AL SIYASSA OF 21 APRIL REPORTS THE POSSIBILITY
OF KUWAITI MEDIATION BETWEEN IRAN AND IRAQ OVER THE SHATT
AL ARAB DISPUTE AND SPECULATES THAT THE KUWAITI AMBASSADOR
TO TEHRAN, WHO IS AT PRESENT IN KUWAIT MAY SHORTLY
RETURN TO TEHRAN ON AN URGENT MISSION, AND THAT THE KUWAITI
AMBASSADOR TO IRAQ MAY BE RECALLED FOR URGENT CONSULTATIONS

MR. FALLE

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EN CLAIR

PRIORITY BAGHDAD TO FOREIGN AND COMMONWEALTH OFFICE

TELNO 378 21 APRIL 1969

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22 APR 1969
NEQ 3/324/1

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ADDRESSED TO FCO TEL NO 378 OF 21 APRIL RPTD FOR INFORMATION
TO TEHRAN , KUWAIT AND BAHRAIN RESENDENCY.

TEHRAN TELNO 341 TO FCO (NOT TO ALL) . IRAQ- IRAN RELATIONS .
IRAQI NEWS AGENCY QUOTES AN IRAQI FOREIGN MINISTRY SPOKESMAN
AS SAYING THAT STATEMENTS OF IRANIAN DEPUTY FOREIGN MINISTER
ABOUT CONSIDERING 1937 AGREEMENT NULL AND VOID IS GRAVE. AND
WILL HAVE A DIRECT EFFECT ON RELATIONS BETWEEN TWO COUNTRIES .
SPOKESMAN SAID THAT IRAQI UNDER SECRETARY FOR FOREIGN AFFAIRS
HAD SUMMONED IRANIAN AMBASSADOR IN EARLY HOURS OF 20 APRIL
AND TOLD HIM THAT IRAQI GOVERNMENT CONSIDERED IRANIAN ACTION

A UNILATERAL ONE CONTRARY TO INTERNATIONAL LAW AND THAT
IRAQ CONSIDERED 1937 AGREEMENT VALID AND RESERVED RIGHT TO
ADOPT LEGAL AND LEGITIMATE MEASURES TO SAFEGUARD HER TERRITORY
AND SOVEREIGNTY .

2. COMMENTING ON CRISIS GOVERNMENT CONTROLLED NEWSPAPER AL
JUMHURIYAH 20 APRIL IN A LEADING ARTICLE SAYS THAT PUBLIC
OPINION WAS SHOCKED BY IRANIAN STATEMENT , IRAQI FOREIGN

MINISTRY'S STATEMENT FULLY DEFINED IRAQ'S POSITION .

IRAQ CONTINUES TO DEAL PEACEFULLY AND CONSTRUCTIVELY WITH
ALL FRIENDLY STATES PARTICULARLY HER NEIGHBOURS BUT WILL
NEVERTHELESS TAKE ALL MEASURES NECESSARY TO PROTECT HER
NATURAL AND LEGAL RIGHTS AND CONTAIN AGGRESSION .

IN ANOTHER ARTICLE AL JUMHURIYAH SAYS THAT LAW WILL NOT BE
IRAQ'S LAST RESORT .

IF IRAN MAKES TROUBLE IRAQ WILL MORE THAN RECIPROCATE .

3. OTHER PRESS COMMENT LINKS IRAN'S ACTION WITH IRANIAN
CLAIM TO BAHRAIN AND WITH AN IMPERIALIST PLOT TO CHANGE
ARAB CHARACTER OF GULF BY ENCOURAGING NON ARAB IMMIGRATION.

MR. EVANS

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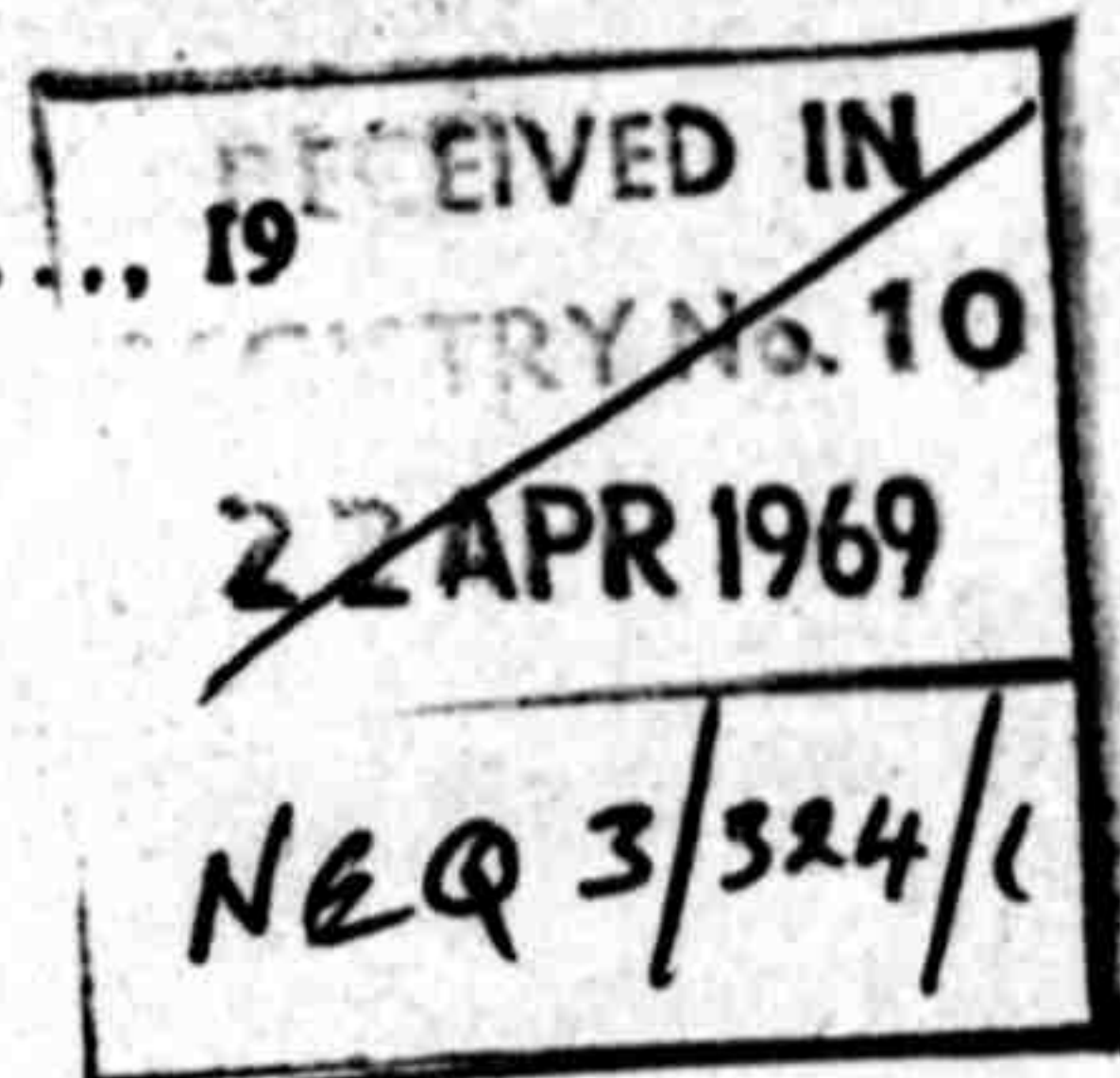
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John 23/4
Li Hinderballe 24/4

R

21 APR 1969

Cutting dated



Iraq rejects Teheran's 'unilateral' border decision

BY OUR MIDDLE EAST CORRESPONDENT

BEIRUT, April 20.

IRAQ to-day rejected what a Foreign Ministry spokesman in Baghdad described as a "unilateral" decision by Iran to cancel a border agreement between the two countries.

The spokesman who was quoted by Baghdad Radio termed Iran's decision as "serious" and said that it would have "a direct bearing on relations between the two countries."

Baghdad Radio reported that the Iranian Ambassador in Baghdad was summoned to the Foreign Ministry at 1 a.m. to-day and was told to notify his Government that Iraq still considered the 32-year-old border agreement as standing and "still binding on both sides." Iraq, the Ambassador was also told, intended to take the necessary measures to safeguard its national security and sovereignty.

Iran yesterday announced the abrogation of the border treaty with Iraq after accusing the latter of provocations allegedly committed against Persian shipping in Shatt Al Arab, a waterway between the two countries which Iraq regards as part of its territory.

Unconfirmed reports said that Iraqi security men have been boarding Iranian shipping boats in the Shatt Al Arab for inspection and to confirm Iraq's sovereignty over the waterway. The 1937 border agreement between the two

countries regulates shipping in the Shatt Al Arab, a point where the waters of the Tigris and the Euphrates rivers meet before pouring into the Gulf.

Troop concentrations

There have also been reports of troop concentrations on both sides of the border.

At least from the Iranian side, the crisis appears to have been taken as very serious indeed. There have been similar alarms between the two neighbouring states several times before, but this appears to be the first occasion on which they have come close to a military confrontation.

Informed observers here attribute the sudden crisis to Iran's concern over the new bid for power and influence launched by the Iraqi regime in the Gulf region. A high-ranking Iraqi delegation under Defence Minister Lt-Gen. Hardan Takriti has just returned from a tour of the Gulf Emirates. Iraq is, in particular, seeking to establish close relations with Bahrain to which Iran has an old claim. It appeared that Iran had tacitly dropped this, but the latest friction with Iraq could exacerbate the whole issue.

Iraq has been accusing Iran of helping the Kurdish insurgents in

Northern Iraq and the recent spy trials in Baghdad alleged that most of those convicted as spies had had contacts with Persian agents.

Reuter reported from Teheran earlier: Iranian heavy artillery and armoured units were ready for action and fighters were flying over the vital nearby Abadan oil refinery and the Persian Gulf port of Khorramshahr, to counter possible Iraqi attacks, reports reaching here from the trouble zone said. Iranian naval vessels have been ordered to escort cargo ships passing through the Shatt Al Arab, either towards Khorramshahr, which is a few miles up river, or south into the Gulf waters, the reports said.

The security measures followed an emergency Cabinet meeting headed by Premier Amir Abbas Hoveida, after a report from the Iranian Ambassador in Baghdad had been studied.

Shah in Tunis

In Tunis the Shah of Iran decided to cut short an official visit to Tunisia. The Shah, who arrived in Tunis last Tuesday, was due to leave at mid-day local time on Monday after a final meeting with President Habib Bourguiba. His departure has now been set for 8.30 a.m. local time.

Enter (31)
5 NED

Jim 23/4
in Hynchoffe
PMMH
24/4

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D.A. TEHRAN TO HQ B.F.G.

FOH 412 211100Z APRIL

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RECEIVED IN REGISTRY No. 10 22 APR 1969 NEQ 3/324/1

ADDRESSED TO HQ B.F.G. FOH 412 211100Z APRIL. RFI TO MOD UK, NEAF,
FCO, BAGHDAD (FOR BRIDEFAT) AND KUWAIT.

Don 28/4
In Hinchcliffe
24/4

FURTHER MY FOH 391 (NOT TO FCO OR KUWAIT). IRANIAN ACTING
FOREIGN MINISTER MADE STATEMENT IN SENATE ON 19 APRIL AND ON SUBJECT
OF AN ALLEGED IRAQI THREAT TO REMOVE IRANIAN NAVY PERSONNEL ON
SHIPS GOING TO ABADAN AND KHORRAMSHAHR HE SAID (ACCORDING TO
REPORTS IN THE LOCAL PRESS) THE GOVERNMENT OF IRAN NOTWITHSTANDING
ITS READINESS FOR A NEW TREATY WITH IRAQ ON THE USE OF THE SHATTEL
ARAB, WILL REPLY TO FORCE WITH FORCE. A SENIOR MEMBER OF THE
SUPREME COMMANDER'S STAFF TOLD ME ALSO ON 19 APRIL, THAT HE
THOUGHT THE IRAQIS HAD CONCENTRATED THEIR MAIN STRENGTH IN THE
KANAQIN AREA (THOUGH HE DID NOT CLAIM THIS WAS DONE DELIBERATELY
AS A THREAT TO IRAN) AND THAT IF IRAQ REFUSED TO NEGOTIATE
THE FIRST ENGAGEMENT MIGHT BE IN THIS AREA.
8 ARMoured DIVISIONS (AHWAZ) AND MEHREBAD AIR BASE ARE NOW ALERT
AND IT IS REASONABLE TO SUPPOSE THAT FIRST ARMY (HQ AT KERMANSHAH) AND
SHAHROKI AIR BASE ARE ALSO. WE HEAR THAT IIS BABR HAS LEFT
KHORRAMSHAHR ON ONE BOILER AND THAT OIL IS NO LONGER BEING
PUMPED TO THE REFINERY AT ABADAN.
COMMENT. MY VIEW IS THAT IRANIAN FORCES HAVE AT PRESENT NO DIRECTIVE

/TO PROVOKE

S E C R E T

S E C R E T

-2-

TO PROVOKE A MILITARY ENGAGEMENT BUT THAT IF THIS SHOULD CHANGE
THEY ARE LIKELY TO RISK A CROSSING OF THE SHATT BUT RATHER TO
SEEK ENGAGEMENT IN
THE KHANAQIN AREA LEAVING THE MOUNTAINS OF LURISTAN AND THE
MARSHES OF THE TIGRIS VALLEY LOOK AFTER THE CENTRE.

SIR D. WRIGHT

[REPEATED AS REQUESTED]

[SENT TO D.C.C.]

FILES

N. EAST. D.

ARAB. D.

OIL. D.

P.U.S.D.

DEF. POL. D.

I.P.D.

NEWS D.

MR. HAYMAN

MR. ARTHUR

S E C R E T

EN CLAIR

PRIORITY BAGHDAD TO FOREIGN AND COMMONWEALTH OFFICE

TELNO 385

22 APRIL 1969

UNCLASSIFIED

RECEIVED IN TOP SECRET REG. NO. 10 23 APR 1969 NEQ 3/324/1

ADDS TO F C O TEL NO 385 OF 22 APRIL R F I TO TEHRAN, KUWAIT, AND
BAHRAIN RESIDENCY.

MY TEL NO 378. IRAQIRAN RELATIONS.

FOLLOWING IS SUMMARY OF A NOTE CIRCULATED BY THE MINISTRY OF
FOREIGN AFFAIRS TO ALL DIPLOMATIC MISSIONS IN BAGHDAD.

FULL TEXT FOLLOWS BY BAG.

2. THE STATEMENT MADE BY THE IRANIAN DEPUTY FOREIGN MINISTER
ON 19 APRIL ABROGATING THE 1937 FRONTIER AGREEMENT WILL HAVE A
SERIOUS EFFECT ON FRIENDLY RELATIONS BETWEEN THE TWO COUNTRIES
WHICH IRAQ IS ANXIOUS TO MAINTAIN. THE IRAQI GOVT THEREFORE
WISHES TO MAKE THE FOLLOWING POINTS .

(A) THE IRAQI GOVT CONSIDERS THE IRANIAN ACTION UNILATERAL
AND INCONSISTENT WITH INTERNATIONAL . IT CONSIDERS THE
FRONTIER TREATY OF 1937 STILL VALID.

(B) THE FRONTIER ON LAND AND WATER IS NOT IN DISPUTE. THE DEFINITION
OF THE FRONTIER OVER ITS ENTIRE LENGTH WAS LAID DOWN IN (I) THE
OTTOMAN/IRANIAN FRONTIER PROTOCOL SIGNED AT CONSTANTINOPLE IN
1913 AND (II) THE PROCEEDINGS OF THE COMMISSION ON DEFINING
THE OTTOMAN/IRANIAN FRONTIERS 1913/14. THIS FRONTIER WAS
ACCEPTED BY BOTH IRAQ AND IRAN UNDER ARTICLE 1 OF THE 1937 FRONTIER
TREATY.

(C) THE IRANIAN DEPUTY FOREIGN MINISTERS ALLEGATION THAT IRAQ
HAS NOT IMPLEMENTED ARTICLES 4 AND 5 OF THE 1937 TREATY NOR ARTICLE
2 OF THE PROTOCOL ANNEXED TO IT IS NOT TRUE. THE IRAQI GOVT
HAS SUBMITTED DRAFT AGREEMENTS FOR THE REGULATION OF NAVIGATION

IN THE SHATT AL ARAB , THE LAST OF WHICH WAS SUBMITTED DURING NEGOTIATIONS WHICH TOOK PLACE IN BAGHDADD IN FEB 1969. DURING THESE NEGOTIATIONS THE IRANIAN DELEGATION CLAIMED RIGHTS WHICH HAVE NO FOUNDATION IN 1937 TREATY NOR ANY OTHER LEGAL BASIS SINCE THE SHATT AL ARAB IS A NATIONAL RIVER AND A PART OF IRAQ.

IRAQ HAS MAINTAINED AND IMPROVED THE NAVIGATIONAL ROUTE AND HAS HAD NO COMPLAINT FROM ANY QUARTER IN THIS RESPECT.

3. THE NOTE THEN LISTS A SERIES OF FURTHER DRAFT AGREEMENTS SUBMITTED BY THE IRAQI DELEGATION DURING THE NEGOTIATIONS IN FEB 1969 WHICH ILLUSTRATE IRAQ'S DESIRE FOR FRIENDLY RELATIONS WITH IRAN.

4. THE NOTE REFUTES THE IRANIAN DEPUTY FOREIGN MINISTERS ALLEGATIONS ABOUT ILL TREATMENT OF IRANIAN NATIONALS IN IRAQ. THE NOTE STATES THAT THEY ARE TREATED WELL AND THAT THE IRAQI RESIDENCE LAW IS APPLIED WITHOUT DISCRIMINATION. ILLEGAL IMMIGRANTS ARE DEALT WITH ACCORDING TO THE LAW. IT IS NOT TRUE THAT IRANIAN NATIONALS HAVE BEEN DETAINED AND ILL TREATED.

5. THE IRAQI GOVT WHILE REGRETTING THE IRANIAN STATEMENT WISHES TO EMPHASISE THAT IN RECENT YEARS IT HAS SUFFERED FROM A SERIES OF AGGRESSIVE ACTS ALONG ITS BORDER WITH IRAN. IRAN HAS ALSO CONSTRUCTED POSTS WITHIN IRAQI TERRITORY, STOPPED THE FLOW OF WATERS FROM SHARED RIVERS, RESTRICTED ENTRY OF IRAQI SHEPHERDS INTO IRANIAN PASTURES AND CONTINUED TO AFFORD FACILITIES TO REBEL ELEMENTS. IRANIAN INFORMATION MEDIA HAVE ALSO RAGED A PROPAGANDA CAMPAIGN AGAINST IRAQ. IRAQ HAS NOT REPLIED IN KIND TO THESE

/HOSTILE

3.

HOSTILE ACTIVITIES BUT HAS ATTEMPTED TO REACH A SETTLEMENT BY
NEGOTIATION.

6. THE NOTE CONCLUDES BY SAYING THAT THE IRAQI GOVT RESERVES
ITS RIGHT TO TAKE LEGITIMATE AND LAWFUL MEASURES TO SAFEGUARD ITS
SOVEREIGNTY AND DEFEND ITS INTERESTS

MR. EVANS

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24/4

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Instructions on completing this form are in Office Instructions—MOD Manual 2

PRECEDENCE—ACTION
PRIORITY

PRECEDENCE—INFO
ROUTINE

DATE—TIME GROUP

MESSAGE INSTRUCTIONS

192130 Z APR

0030
RECEIVED IN

SECURITY CLASSIFICATION 10

*(Messages referring to a classified message must be classified Restricted or above)

NEQ 3/324/1

CONFIDENTIAL

DIG

SERIAL No.
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TLM

FOR COMMCEN USE

FROM MOD UK

TO (One addressee to a line)

UK PMD ANKARA

INFO

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ROUTING

TIME

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TIME

OPERATOR

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SECANK 38

Reference: A. TLM 191110Z Apr/ANKSEC 42.

1. There have been many rumours about the strained relations between IRAN and IRAQ but little concrete information is available. For your information the following is a summary of the current situation as we see it.

2. The dispute is reported to have arisen over navigation rights in the SHATT AL ARAB and Iraqi insistence that all shipping in the SHATT should wear the Iraqi flag. Iranian naval HQ has stated that all Iranian warships apart from those escorting merchant ships up the SHATT have as a precautionary measure been moved out from ABADAN and KHORRAMSHARH. Furthermore Iranians have cancelled HMS NAIAD's scheduled visit to ABADAN to stop her from entering the SHATT. Iranians offered a choice of three other places and NAIAD is now paying a visit to KHARG Island instead.

3. Reports of an Iraqi build up of ten thousand troops in Basra and on the SHATT seem to have little foundation. It appears more likely

DISTRIBUTION (To include originator)

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LETTERS

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BUILDING:
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OFFICER'S
SIGNATURE

NAME IN
BLOCK LETTERS

RANK

* refers to a classified message ☐

This message (Tick appropriate box)

does not refer to a classified message ☐

DATE

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Page...1.....
of

2....Pages

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MOD SIGNAL MESSAGE FORM

MOD Form 31

Instructions on completing this form are in Office Instructions—MOD Manual 2

PRECEDENCE—ACTION		PRECEDENCE—INFO ROUTINE		DATE—TIME GROUP Z	MESSAGE INSTRUCTIONS	
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that the recent movement of an Iraqi brigade from Jordon to the area was a normal rotation, not a reinforcement, and that the number of troops there now is about normal. There are some indications that eight MIG 21 fighter aircraft may recently have been moved to Basra civil/military airfield but there have been no signs of any unusual activity.

ECO does not feel that the situation warrants any specific measures at present but we shall of course keep you informed of further developments and let you know if the position deteriorates.

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		DRAFTER'S NAME IN BLOCK LETTERS M.J. ROGERSON	
TLM		DIV./DIR./BRANCH DOC DUTY OFFICER	
		TELEPHONE NUMBER BUILDING: Main EXTENSION: 7295	
		RELEASING OFFICER'S SIGNATURE 	
Page 2 of 2 Pages	* refers to a classified message <input checked="" type="checkbox"/> This message (Tick appropriate box) does not refer to a classified message <input type="checkbox"/>	DATE 19 Apr 69	NAME IN BLOCK LETTERS M.J. ROGERSON RANK COMMANDER RN

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3

RECEIVED IN
REGISTRY No. 10
23 APR 1969
NRQ 3/324

ME/3055/E/1
(A, D)

E. IRANIAN-IRAQI RELATIONS

Iraqi Press on Iranian Threats

Baghdad home service in Arabic 05.30 GMT 21.4.69

Excerpts from report of newspaper articles:

In an article headlined "These suspicious movements and challenges will not intimidate our people", 'Ath-Thawrah' says: The 17th July revolution has concerned itself with strengthening our country's relations with neighbouring countries on the bases of understanding fully the nature of these relations and the revolution's belief in good neighbourliness and common interests between our people and the neighbouring friendly peoples... The regrettable attitude now being adopted by Iran in massing its forces on its borders with us and in making several challenges proves Iran is attempting to do one thing - to preoccupy revolutionary Iraq, which is fighting imperialist, colonialist and Israeli forces. This hostile Iranian Government attitude stems from a US imperialist plot against the safety and security of the area. The aggressive alliances which are working at this particular time to paralyse any Arab movement against Israel are closely related to the Iranian Government's unjust attitude. The US and Israeli monopolies and intelligence in Iran are playing serious roles in reducing Iran to a toy manipulated by these criminals for striking at the liberation revolutions and for perturbing and preoccupying them...

'Ath-Thawrah' adds: Iraq has been patient and tolerant towards the rabid Iranian press campaigns. It has been meeting these campaigns with coolness in order not to remove all bridges of friendship with its neighbour Iran. But the agent Iranian press and the suspicious reactionary machinery tied to imperialism and its companies insist on creating crises at a time when Iraq is mobilising all its resources for the fateful Arab battle against Zionist and imperialist forces. Perhaps the recent action on the Shatt al-Arab border, the creation of an unjustified problem, the unilateral abrogation of the 1937 agreement and the massing of military forces proves that the reactionary and suspicious circles want to preoccupy Iraq and hamper its leading role in fighting imperialism in the area.

The paper emphasises that the Iraqi Government and people are united against all foreign provocations. They will never, in any way, allow any force to challenge their national feelings or harm the unity and safety of their territory.

Under the headline "Our people and their revolutionary Government adhere to their right and will never abandon it", 'Al-Jumhuriyah' says: The measure taken by Iran violates all international regulations and procedure. No one approves of this measure. We believe that the Iraqi Foreign Ministry spokesman's comment fully defines Iraq's attitude towards these statements. Iraq will never abandon its clear rights and sovereignty. Iraq also understands the meaning of raising a subject settled several years ago in these particular circumstances. Whatever the motive behind the recent Iranian measure - the Iranian official spokesman has warned Iraq of the effects - Iraq is able to preserve its legitimate rights and its safety and security. Threats and measures like this will not change Iraq's adamant attitude...

'Al-Hurriyah' says: The meaning and the timing of the strange statement by an official of the Muslim Government of a neighbouring country - Iran - have been questioned by the Iraqi public, the Arab homeland and the entire world. The Arab nation is now in a critical, decisive stage. It is facing a fierce, treacherous, imperialist-Zionist aggression. The imperialists and Zionists are not satisfied with the occupation of new Arab territories, but are preparing for another round of aggression to acquire more territory and interests in the area... The calculated timing of the creation of problems with Iraq, the sharp tone used and the recent military measures will not prevent Iraq and its national Government from continuing its policy towards its Arab brothers in the Gulf and other areas subjected to imperialist activities and illegitimate ambitions to eliminate the Arab character of these areas. The 17th July revolution will continue until the noble goals of the Arab nation are achieved.

ME/3055/E/2

Baghdad 'Ath-Thawrah' on Iranian Press Attitude

Baghdad home service in Arabic 05.30 GMT 22.4.69

Text of report of 'Ath-Thawrah' article:

'Ath-Thawrah' unmasks the hireling Iranian press and its lament for the spies. It says: With the same timing and in the same unjust and ridiculous campaign, the Iranian press, which is linked to the US and Israeli intelligence services, began mourning the traitors whom the revolution discovered, convicted and punished for spying against their own country. The Iranian press lament and cry for the executed traitors and spies convict this press of open subservience to imperialism and Israel and unmask its relations with CENTO. The conditions which have prevailed in our country ever since the 17th July revolution, the security which the great Iraqi people are enjoying and the disappearance of the false crises fabricated by the former reactionary rulers refute the delusions of the sick minds sitting behind the information and other desks of the Iranian press. It would be better for the Iranian press to concentrate on serving the Iranian people, who are living under the burden of the capitalist monopolists' ugly occupation and US military influence, which has turned all Iran into a powder keg threatening the future of the friendly Iranian people. It would also be better for the Iranian press to awaken and refrain from fabricating incredible and ridiculous lies.

'Ettela'at' Plea for Sincerity and Goodwill

Tehran home service in Persian 16.30 GMT 21.4.69

Excerpts from report of 'Ettela'at' article:

The following are parts of an 'Ettela'at' article of 21st April entitled 'The Neighbours Joke': We have other neighbours, in addition to Iraq. Until recently, we had some outstanding and difficult border and territorial problems with them, too. We solved all these problems within a few years. As far as importance and sensitivity are concerned, the problem of border rivers is very insignificant compared with that of continental shelves. Now that we have managed to define our rights concerning the complex and delicate problem of continental shelves as a result of negotiations with our Arab neighbours, there is no reason why we should have to fight over the problem of border rivers - unless there is a plan to use this problem as an excuse to create an issue. In that case, of course, any Government would be making a great mistake in thinking Iran could be used as an instrument to stage such theatricals...

Obviously, nothing is more effective than sincerity in helping to bring about solutions to problems in international relations. Sincerity has always been part of Iran's policy, not only towards Iraq but towards other neighbours. This is why we live in friendship and cordial co-operation with all our neighbours. The Iraqi Government has unfortunately often failed to reciprocate Iran's sincerity. Iraq's policy has thus caused the outstanding problems to be protracted to such an extent...

The leaders of the Iranian Government are prepared to prove their goodwill despite the recent incidents. Because of their special respect and affection for the Iraqi people, the Iranian officials are prepared to talk to the Iraqi Government in accordance with current international laws and regulations governing border problems. God willing, we shall then be able to resolve this problem in accordance with universally approved practices in a way compatible with the times. Once we resolve this problem, there will be no reason for disturbing the long-standing relations between the two fraternal peoples.

BMH
24/4

NEQ 3/324/1
36

RECEIVED IN

23 APR 1969

NEP 3/548/1

ME/3055/D/1

D. IRAN

"National Voice of Iran" on Britain's Domination of Iran

"National Voice of Iran" in Persian 17.30 GMT 17.4.69

Excerpts from talk:

Following his visit to Iran and the Persian Gulf Shakhdoms, the leader of Britain's Conservative Party, Heath, declared officially in England that a future Conservative Government would not withdraw British forces from the Persian Gulf. Heath added that (?the British Conservative Party) was opposed to the Labour Government's East-of-Suez policy... However, the Labour Government never intended to end its domination of the region, although it has declared that it will withdraw the British forces. Wilson, the Prime Minister, thus wants to relieve Britain of the heavy expenditure involved in maintaining British forces in the Gulf area...

In fact the Shah's (?associates) want Britain and the USA to continue their domination in the Persian Gulf. You can see this clearly in every move made by the Iranian Government. The British rely more on their economic, political and military domination of Iran than on their military bases in the Persian Gulf. Britain is an official member of CENTO. She holds 40 per cent of the shares of the oil consortium. British capital plays an important role in Iran's trade and economy. Everyone knows about the political domination exercised by British agents in the Iranian Royal Court. Anyone who wants to rid the Persian Gulf of British domination therefore should first rid Iran itself of the evil domination of British imperialism...

"Radio Iran Courier" on the Iranian-Iraqi Crisis

"Radio Iran Courier" in Persian 15.30 GMT 21.4.69

Excerpts from commentary:

Dear listeners, AFP reported on 19th April from Tehran that the Iranian Government had cancelled the Iranian-Iraqi agreement of 4th June 1937 defining the Iranian-Iraqi frontier along the Shatt al-Arab and dealing with shipping in the river mouth. The news agency said the Iranian Government's decision had created a serious crisis between the two countries. Press agencies also reported that the Iranian Government had alerted its armed forces along the Iranian-Iraqi border.

What is the problem? Why this sudden swashbuckling attitude towards this neighbouring country to resolve differences? Afshar, the Deputy Foreign Minister, in an attempt to answer these questions, spoke as follows in his Senate speech: The Iraqi Government has always interpreted the 1937 agreement unilaterally - especially Articles 4 and 5 of the agreement - and the Iraqi Government has prosecuted, imprisoned and tortured five Iranian citizens for spying for Israel.

The second reason cited by Afshar is obviously merely an excuse. If the Iranian Government was really sincere it should consider the issue on the basis of the trial proceedings and the confessions of the accused...

The first reason too is open to question. If the Iraqi Government has been interpreting articles 4 and 5 of the 1937 agreement in its own interests, Iran, to defend its rights, should first have chosen a path of friendly negotiations to resolve the issue. Then, if the negotiations had failed, Iran could have exposed and publicised the unilateral interpretations of the Iraqi Government. By comparing Iraq's interpretations with the text of the agreement, Iran could thus have shown how Iraq was infringing Iran's border rights. Public opinion in Iraq, Iran and other countries could thus have been favourably prepared for a peaceful solution to the problem...

Iranian-Iraqi differences in the Shatt al-Arab should of course be resolved in the interests of both countries and on a just basis... Unfortunately, long experience has shown that the present regime has never conducted its foreign policy in this way. On the contrary, the regime has turned its foreign policy into a repository for the policies of imperialist countries. This is specially true of Iran's Middle East policy and its policy towards the Arab countries. Having interrupted its relations with Syria, Iran broke off relations with Lebanon - once because of a newspaper article and then because of Bakhtiar. Incessantly and over the years, Iran has followed a hostile policy towards the UAR, and now it has allowed its relations with Iraq to deteriorate to the brink of war. All of this is evidence of one and the same policy of bringing pressure to bear on the Arab countries, which are engaged in a struggle against Israeli aggression.

The Iranian Government is thus indirectly helping US and British imperialism. This policy has nothing to do with the regime's claim regarding the defence of Iran's legitimate rights. To defend those rights in the Persian Gulf we should first of all get rid of the imperialist oil plunderers, who are robbing the wealth of our country and the fruit of our workers' toil. Even Mohammad Reza Shah calls them plunderers, although he does not take the slightest action against them...

Pe / KMMH
11/2

TOP COPY

37

RECEIVED IN REGISTRY No. 10 24 APR 1969 NEW 3/3241

By Bag SAVING TELEGRAM
FROM BAGHDAD TO FOREIGN AND COMMONWEALTH OFFICE

TELNO: 12 SAVING

DATE: 22 APRIL, 1969

REPEATED FOR INFORMATION SAVING TO: BEIRUT, AMMAN, CAIRO, TEL AVIV,
RESIDENCY BAHRAIN, KUWAIT, TEHRAN, WASHINGTON, UKMIS NEW YORK.

Iraqi Press 20-22 April.

Summary. Press attention is concentrated upon Iran's abrogation of the 1937 Iraq/Iran Frontier Treaty. This is seen as a CENTO/Imperialist conspiracy with the twofold aim of preserving Imperialist interests in the Gulf and diverting Iraq from the struggle against Israel. Al Thawra (21 April) in its editorial says that Iraq has always sought friendly relations with Iran but the Iranian press has been hostile to Iraq. Iran's aim now in concentrating her troops on the border with Iraq is to divert Iraq's forces from the battle against Imperialism and Israel. Iran is acting as the agent of American and Israeli commercial interests and Intelligence organisations. The coincidence of CENTO Pact manoeuvres, Israeli aggression against Arab territory and Iran's concentration of troops on the frontier with Iraq demonstrate this.

2. The leading article in the Baghdad Observer of 22 April draws a parallel with British-inspired Iranian immigration into the Gulf and sees the present crisis as part of a CENTO conspiracy. Iran's actions in the past have illustrated her hostile attitude and subservience to America. Imperialism's aim is to preserve the oil riches of the Gulf for exploitation by CENTO, and to prevent the Gulf from becoming a part of a progressive Arab community.

3. Al Thawra (22 April) in its editorial says that Iran's outcry against the execution of spies brands her as an agent of Imperialism and Israel. In another article Al-Thawra again sees Iran's abrogation of the 1937 Frontier Treaty as part of a CENTO/Imperialist conspiracy. One of the reasons for this is seen to be Iraq's attitude towards the Arab character of the Gulf, another is thought to be Iraq's firm attitude on the Palestine question, which is against the wishes of the United States.

4. Al Hurriyah (22 April) also sees the crisis as part of an Imperialist/Zionist plan. The B.B.C. Middle East correspondent admitted as much when he said that the crisis was timed to coincide with the Arab confrontation with Israel. Iran is an appropriate tool for Israel's purposes. Since, under the cloak of commercial activities, Israel has been able to exert its influence on the Iranian press and in social and political circles.

Mr. Evans

FCO/WH DISTRIBUTION

Near Eastern Dept

per PNMH

38

EN CLAIR

BEIRUT TO FOREIGN AND COMMONWEALTH OFFICE

TELNO 209

23 APRIL 1969

UNCLASSIFIED

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RECEIVED IN REGISTRY No. 10 24 APR 1969	
NEW	3/324/1

ADDSO TO FCO TELNO 209 OF 23/4 RPTD FOR INFO TO BAGHDAD , TEHRAN,
KUWAIT AND BAHRAIN RESIDENCY AND SAVING TO AMMAN , CAIRO,
WASHINGTON AND JIG CYPRUS .

IRAQ-IRAN RELATIONS .

GENERAL SALEH MAHDI AMMASH IS REPORTED TO HAVE STATED TO THE PRESS
HERE YESTERDAY DURING A STOPOVER ON HIS WAY TO POLAND THAT
IRAQ 'WILL NOT REACT TO IRAN'S CHALLENGES' WHICH HE DESCRIBED
AS AIMED AT EXERTING PRESSURE ON IRAQ TO WITHDRAW HER FORCES
STATIONED IN SYRIA AND JORDAN .

IRAQ WOULD NOT ALLOW HERSELF TO BE DRAWN IN TO A BATTLE WITH
IRAN .

NOR WOULD THE FORCES IN SYRIA AND JORDAN BE WITHDRAWN .

IF IRAN WISHED TO OCCUPY BASRA SHE COULD DO SO .

THERE WAS NO DISPUTE OVER THE GULF .

THE SHATT - EL - ARAB WAS AN IRAQI REGION .

THE REAL DISPUTE WITH IRAN WAS OVER ARABISTAN A PART OF IRAQ
DETACHED FROM HER DURING THE FOREIGN PROTECTORATE .

AMMASH DENIED THAT IRAQ HAD MASSED TROOPS ON THE IRANIAN BORDER.

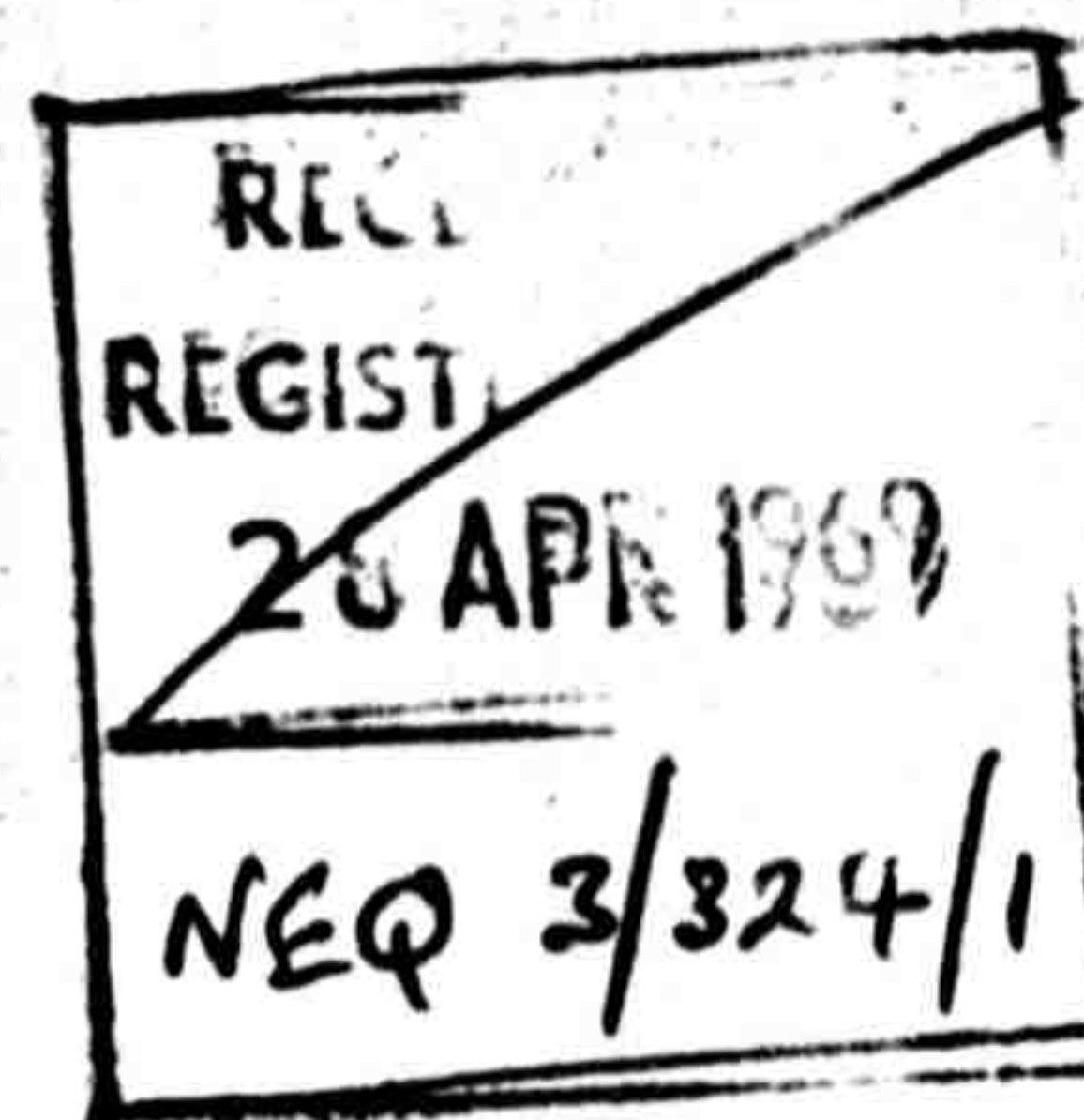
MR. KING

FCO/WH DISTRIBUTION

N. EAST. DEPT.

PA
PMM
h/6

Mr. Hayman



Iran/Iraq Relations

The Iranian Ambassador called on me yesterday evening. He said he was instructed to draw our attention to the statement on the Shatt al Arab which the Acting Foreign Minister had made in the Iranian Senate on 19 April (summary in Tehran telegram No. 341).

lag A

2. The Ambassador said that apart from the first year or two, the Iraqis had never submitted accounts on the Shatt al Arab as they were required to do under Article 2 of the Protocol to the 1937 boundary treaty between Iran and Iraq. In the light of this and other violations by Iraq, the Iranian Government now regarded the 1937 treaty as null and void; and they had told the Iraqis quite clearly that they now considered that the Thalweg was the dividing line between the two countries along the Shatt al Arab. If the Iraqis insisted on asserting their sovereignty over the whole of the river there would be a clash. The Iranians were ready to negotiate a new treaty with Iraq, but Iraq would neither accept a new treaty nor observe the old. In any case the 1937 treaty was out of date.

3. The Ambassador went on to speak with a great show of injured innocence about a recent incident in which the Iraqis had insisted on pulling down the Iranian flag on an Iranian vessel. If Iraq provoked any more incidents of this kind Iran would take measures in defence of her rights, etc., etc.

4. I said that as far as I knew the 1937 treaty contained no provisions for denunciation or revision. The Ambassador admitted, somewhat ruefully, that it did not. I said that I could understand the Iranian argument that Treaties signed in the nineteenth century and confirmed just before the first World War had been in some sense forced upon Iran in the days of her weakness. But I was puzzled about the application of that argument to the 1937 treaty, which confirmed the present frontier in the Shatt al Arab during the heyday of Reza Shah. The Ambassador tried to argue that the 1937 treaty had in some way been imposed by Britain, since the Admiralty was at that time interested in a passage from the Persian Gulf to Basra under the sovereignty of Iraq, with whom H.M.G. had a treaty at that time. To this I replied that I could well imagine that the views of the Admiralty in 1937 were as the Ambassador had described them; but this did not explain the Iranian signature on the 1937 treaty with Iraq. It could hardly be said that Reza Shah was

/accustomed

accustomed to yielding to British pressure. The Ambassador mumbled something to the effect that the Iranian Foreign Ministry had perhaps been ill-informed and over-~~ruled~~ in 1937. By this time he was unhappy about his argument of British imposition.

5. The Ambassador repeated that the Iranians did not want a clash: If there were one it would be due to Iraqi provocation. I said that I could not believe that Iraq wanted a clash over the Shatt al Arab at this time. Some 15-20,000 Iraqi troops were in Jordan and Syria and nearly all that remained of the Iraqi army, were, as far as I was aware, deployed against the Kurds. I hoped that both sides had given strict instructions to their forces not to take irresponsible action. The Ambassador said that he was sure that the Iranians had given such instructions to their forces.

Flag B

6. As was expected the Iraqi Foreign Ministry have replied to the Iranian statement (Baghdad telegram No. 378). I cannot avoid the impression that whatever they say, it is the Iranians who are using the present time of Iraq's weakness and folly to assert their claim to the Thalweg and denounce the 1937 treaty unless the Iraqis agree to renegotiate it on Iranian terms. The situation could turn nasty at any time. There is already talk of mediation by Saudi Arabia or Kuwait (Kuwait telegram No. 142) - neither of whom I suspect would be very effective. Perhaps the best mediators would be Turkey or Pakistan, if the latter is not too distracted by internal troubles.

Flag C

Heaven
forbid that
any kind
of mediation should
have to be brought
in on this!

(G. G. ARTHUR)
22 April, 1969.

c.c. Mr. Miers
Mr. Acland
Mr. Paul (Research Department)
Mr. Burrows (Legal Adviser)

22.4.69

1. Paul
2. Minister of State

If the Shah is not careful
he will get too many balls
in the air what with the Crestum,
Bahrain the islands and now this.
I do not mind a Mediator as long as

CONFIDENTIAL

UK is not involved. DT Greenhill 24/7

P.T.O.

We should certainly not wish to be involved.
 But we need to be clear as to how, if at all,
 this nasty situation may affect the quest
 in view of our impending withdrawal.

RM

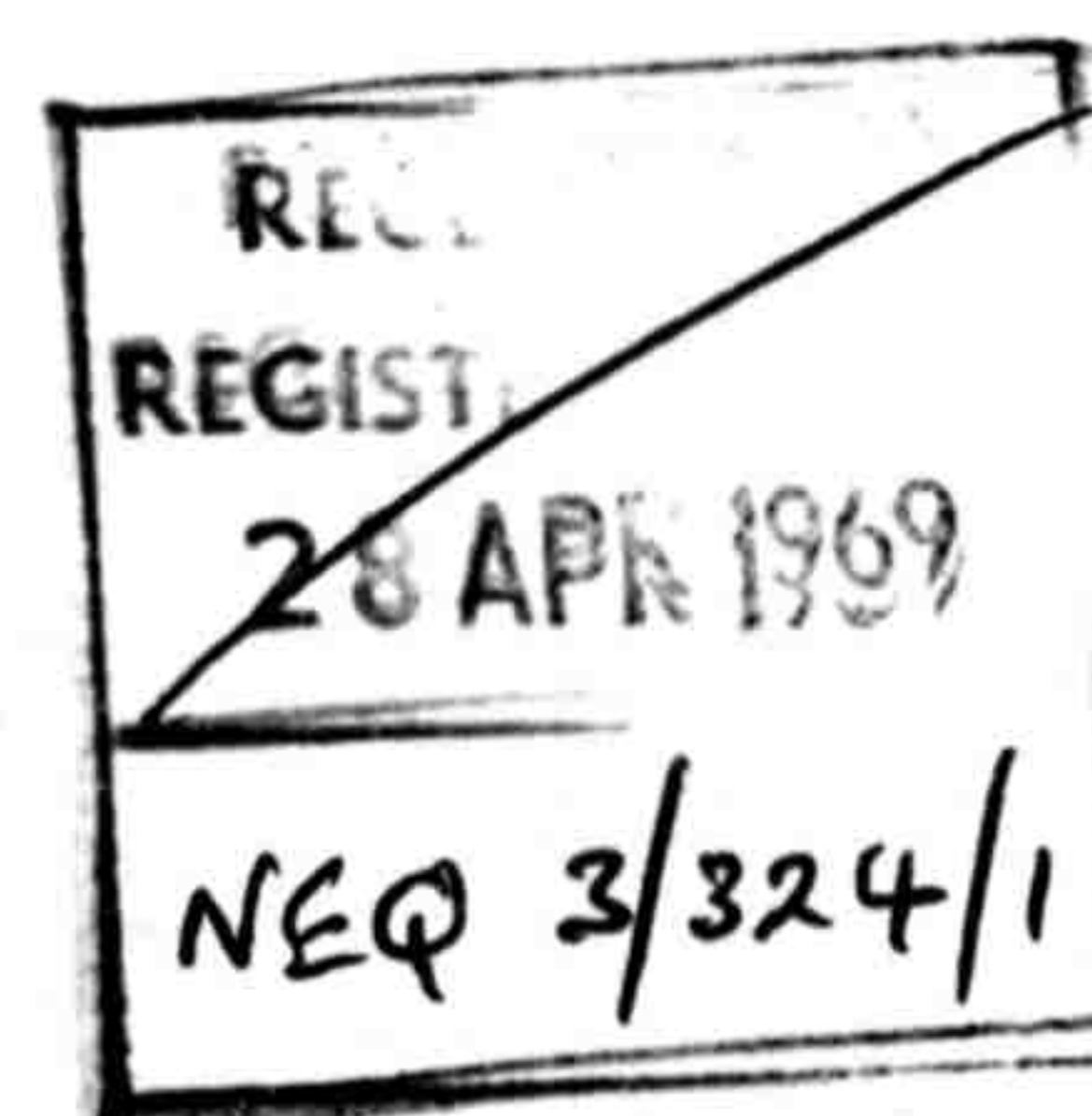
23/4

- 1) Bus
 - 2) Mr Hayman
 - 3) Mr Atkinson
 - 4) ~~Mr~~
- H
24/4
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Mr Elrichcliffe PMH 28/4
 hi Mahurism Jan 28/4
 Enter c p.a.

~~PMH~~ 26/4

Mr. Hayman



Iran/Iraq Relations

Flag A

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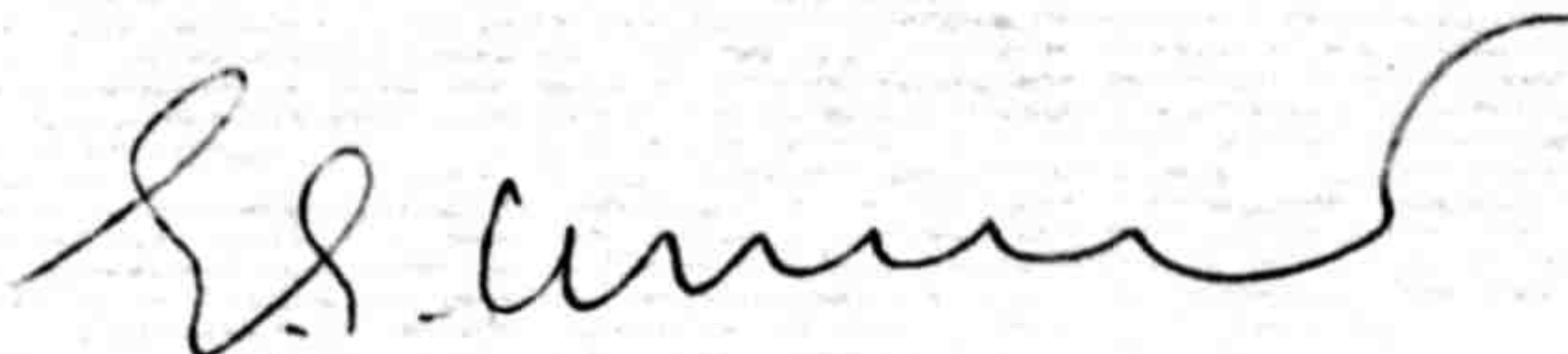
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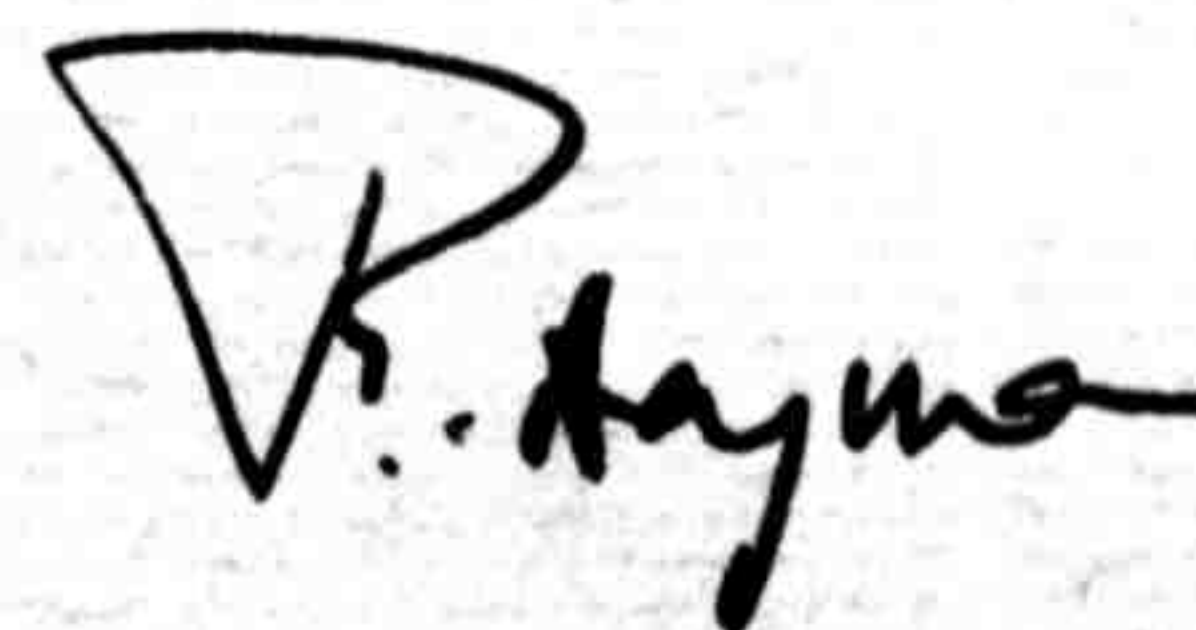
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(G. G. ARTHUR)
22 April, 1969.



22.4.69

c.c. Mr. Miers
Mr. Acland
Mr. Paul (Research Department)
Mr. Burrows (Legal Adviser)

1. PUS
2. Minister of State

If the State is not careful
he will get too many balls
in the air what with the Creation,
balancing the islands and now this.
I do not mind a Mediator as long as
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R...

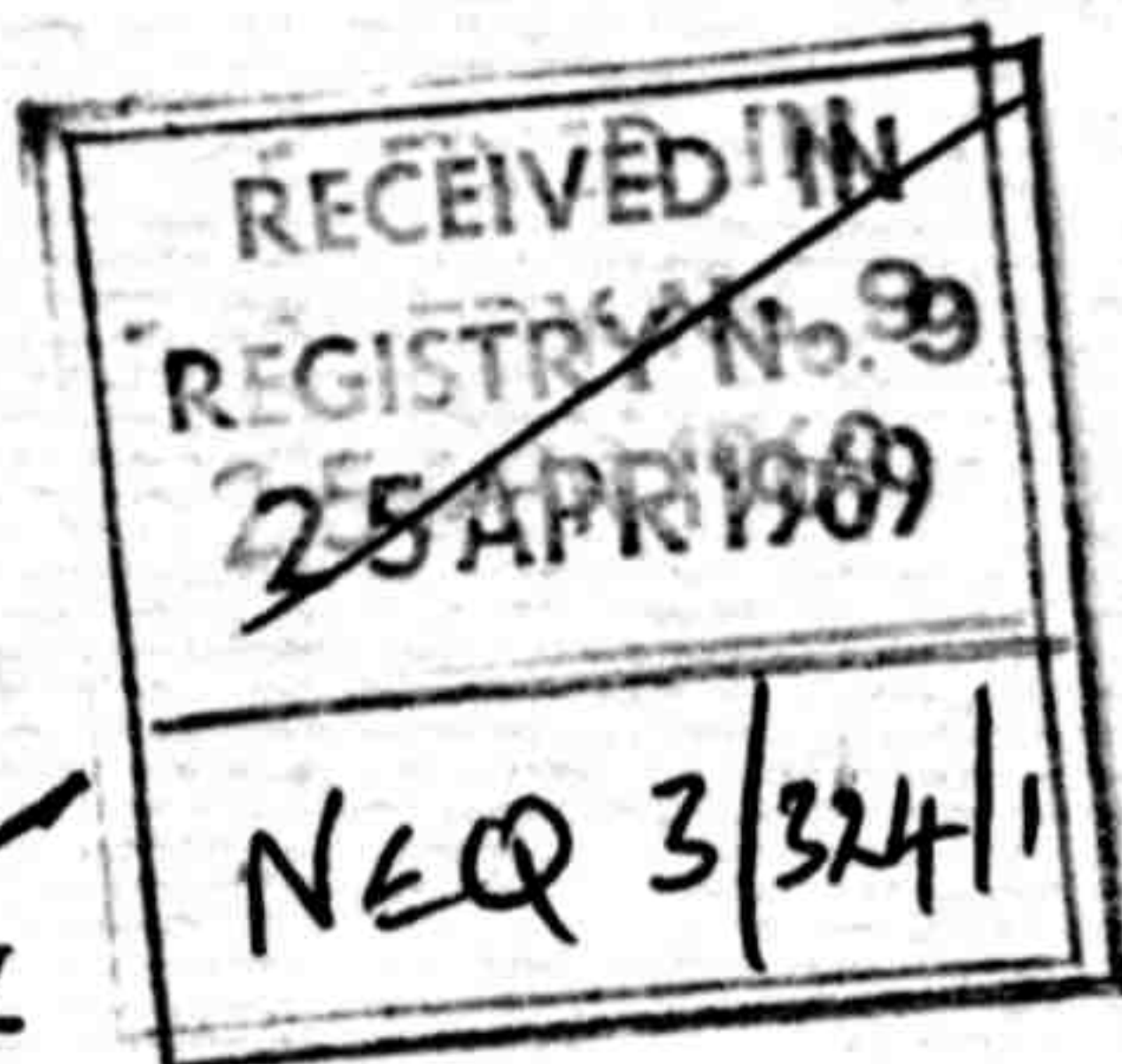
23/4

- 1) ~~Bus~~
- 2) ~~Av...~~ H
- 3) ~~Mr. At...~~ 24/4
- 4) ~~NE...~~ 28/4

m: Elrichcliffe PMH 28/4
 hi Mahurizn Jm 28/4

Enter < p.a.

26/4



Mr. McCarthy

See
Copied Mr. Morris, Jeddah
sent 25/4 Bar D. Wright, Tehran.

The Shatt al Arab Dispute

The Saudi Ambassador raised this with me this morning. 24/4
 In discussion, he made two particular points:-

(a) It might be true that Iraq was in breach of certain provisions of the 1937 treaty. But this did not justify Iran's claim that the treaty was null and void, nor her assertion, contrary to the treaty, that the thalweg was the boundary between the two countries. This was simply an example of Iranian bullying. It was a bad omen for the future of the Gulf: Iran's technique seemed to be a unilateral assertion of her claims against the weaker Arabs. The Iraqis could do nothing to stop Iranian encroachment, and the same thing would one day apply to the Arab states in the Gulf. He held no brief for Iraq: what worried him was Iranian behaviour as an indication of the shape of things to come.

(b) It had been suggested that King Feisal should mediate in the dispute between Iraq and Iran. What did I think of such a proposal?

2. I said that I understood the point made by the Ambassador at (a) above. I was not, however, sure that he and I would draw similar conclusions. I thought that one must not lose sight of the fact that Iran was much more powerful than any other state in the area. Whether we liked Iranian behaviour or not, it would pay the Arabs to reach an accommodation ~~over~~ with Iran. If they could get the Shah's signature, as it were, to such an accommodation, they would in fact do much better than if they insisted on absolute justice. Palestine should have taught the Arabs that. The Ambassador said that he took the point in so far as the lower Gulf was concerned.

3. In reply to (b) above, I said that speaking personally and off the cuff, it seemed to me that everything depended on whether King Feisal thought that successful mediation was possible or not. If it was not, he would - I was sure - keep clear of it, and he would be right. The future of the Gulf, as we often said, depended largely on friendship and co-operation between Saudi Arabia and Iran. It would be a pity to put that friendship at risk in a fruitless mediation over the Shatt al Arab.

G. G. Arthur
 (G. G. ARTHUR)

23 April, 1969.

c.c. Mr. Acland
 Mr. Miers.

CYPHER/CAT A

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PRIORITY BAGHDAD

TO FOREIGN AND COMMONWEALTH OFFICE

TELEGRAM NUMBER 390

23 APRIL 1969

TOP

COPY

RECEIVED IN REGISTRY No. 10 25 APR 1969 NEQ 3/324/1

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ADDRESSED TO F.C.O. TELEGRAM NUMBER 390 OF 23 APRIL REPEATED FOR INFORMATION TO TEHRAN, BAHRAIN RESIDENCY, KUWAIT AND ANKARA AND SAVING TO BEIRUT, CAIRO, AMMAN AND JEDDA.

33

MY TELNO. 358: [SIC? 385] IRAQ/IRAN RELATIONS (NOT TO ALL).

DAUD, HEAD OF THE POLITICAL AFFAIRS DEPARTMENT AT THE MINISTRY OF FOREIGN AFFAIRS, LAST NIGHT ASKED HAWLEY TO CALL ON HIM. HE HAD BEEN INSTRUCTED BY THE MINISTER TO SAY THAT THE GUARD ON THIS EMBASSY WAS BEING RE-INFORCED. (THERE ARE SO FAR NO SIGNS OF THIS) THE IRAQI GOVERNMENT WERE NOT EXPECTING ANY SPECIFIC TROUBLE, BUT OPINIONS HAD BEEN INFLAMED OVER THE IRANO-IRAQI DISPUTE AND THERE WAS ALWAYS A DANGER THAT TROUBLE MAKERS MIGHT SEEK AN OPPORTUNITY TO ENGINEER AN INCIDENT CAUSING DIFFICULTIES BETWEEN OUR TWO COUNTRIES. THE IRAQ GOVERNMENT INTENDED TO PREVENT THIS. SIMILAR PRECAUTIONS WERE BEING TAKEN FOR SOME OTHER EMBASSIES (INCLUDING IRAN AND TURKEY).

2. DAUD THEN TURNED TO THE IRANO-IRAQI DISPUTE. HE EMPHASISED SEVERAL TIMES THAT THE IRAQIS WANTED PEACE AND WOULD NOT USE FORCE, BUT THEY WERE CONCERNED AT THE TONE OF THE OFFICIAL STATEMENTS AND PRESS IN TEHRAN. THE IRAQ GOVERNMENT HAD BEEN SEEN TO SETTLE

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/OUTSTANDING

OUTSTANDING PROBLEMS WITH IRAN BUT THE JOINT COMMITTEES SET UP AFTER TIKRITI'S VISIT TO TEHRAN IN DECEMBER HAD MADE NO PROGRESS. THE IRANIANS HAD INSISTED ON LINKING ALL OUTSTANDING QUESTIONS WITH THE BORDER DISPUTE ON THE SHATT AL ARAB TO MAKE ONE PACKAGE DEAL. THE IRAQIS HAD WANTED TO PROCEED ITEM BY ITEM, LEAVING THE IRANIANS TO DECIDE THE SUBJECTS TO BE TACKLED FIRST.

3. THE IRAQI GOVERNMENT HAD BEEN SUPRISED AT THE RECENT TURN OF EVENTS AND THERE WAS NO NEW FACTOR TO WARRANT THE PRESENT IRANIAN POSTURE. THERE WERE NOW IRANIAN TROOPS ALONG THE WHOLE OF IRAQ'S 1200 KILOMETER BORDER WITH IRAN. THE IRANIAN DEPUTY FOREIGN MINISTER'S ABROGATION OF THE 1937 TREATY CAME AS NO GREAT SURPRISE. THIS WAS AN OLD MOVE IN THE GAME AND THE IRANIANS HAD MADE IT BEFORE; FOR EXAMPLE ARAM HAD SIMILARLY DENOUNCED THIS TREATY EARLIER. WHAT WAS NEW WAS THE LARGE CONCENTRATION OF TROOPS IN THE ABADAN REGION. THERE HAD CERTAINLY BEEN INCIDENTS INVOLVING IRANIAN FISHERMEN ON THE SHATT AL ARAB, BUT THEY WERE COMMONPLACE. THE IRAQIS IN FACT HAD GREATER GRIEVANCES AGAINST THE IRANIANS ON THIS SCORE, FOR EXAMPLE SEVERAL PEOPLE, INCLUDING CHILDREN, HAD BEEN KILLED BY IRANIANS RECENTLY IN THE AMARA DISTRICT OF IRAQ. THE IRAQIS HAD GIVEN IT NO PUBLICITY AND HAD PLAYED IT DOWN. THE IRAQIS WERE CONCERNED ABOUT ILLEGAL IRANIAN IMMIGRANTS BUT HOPED TO SOLVE THIS AMICABLY WITH THE IRANIAN GOVERNMENT.

4. AS REGARDS THE SHATT AL ARAB DISPUTE, THE IRAQIS COULD NOT ACCEPT THE IRANIAN CLAIM TO A BOUNDARY ON THE THALWEG OF THE RIVER. IRAQ HAD ALREADY GIVEN UP SOVEREIGNTY OPPOSITE ABADAN AND KHORRAMSHAHR IN 1937. BUT THEY REMAINED WILLING TO DISCUSS THE PROBLEM. THEY HAD SPECIFICALLY OFFERED TO DEAL WITH THE ISSUE OF NAVIGATION ON THE SHATT AL ARAB IN THE JOINT COMMITTEES. DAUD

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BAGHDAD TELEGRAM NO. 390 TO FOREIGN AND COMMONWEALTH OFFICE

- 3 -

DISCLAIMED KNOWLEDGE OF ANY NOTE TO THE IRANIANS WHICH MIGHT HAVE EXACERBATED THE SITUATION, ALTHOUGH THERE WAS AN ENORMOUS FILE OF NOTES EXCHANGED. IT HAD BEEN USUAL PRACTICE FOR IRANIAN MERCHANTMEN TO FLY THE IRAQI FLAG ALONGSIDE THEIR OWN WHEN SAILING UP THE SHATT. THIS PRACTICE ACCORDED WITH THE PORT REGULATIONS AND NORMAL USAGE IN TERRITORIAL WATERS. IT WAS NEW FOR THE IRANIANS TO STOP DOING THIS. THE IRAQIS HAD NEVER REQUIRED IRANIAN WARSHIPS TO FOLLOW THE SAME PRACTICE.

5. THE IRAQI GOVERNMENT COULD FIND NO REASON FOR THE IRANIAN BUILD-UP EXCEPT TO PUT PRESSURE ON IRAQ TO WITHDRAW TROOPS FROM JORDAN. DAUD CONFIRMED THAT THIS REPRESENTED THE OFFICIAL IRAQI VIEW AND NOT MERELY PRESS SPECULATION. THE UNITED KINGDOM HAD IMPORTANT INTERESTS BOTH SIDES OF THE BORDER AND IT WAS IN THEIR INTEREST THAT NO HOSTILITIES SHOULD START. HE AGAIN EMPHASISED IRAQ'S PEACEFUL INTENTIONS, AND ASKED WHETHER H.M.G. COULD USE ITS INFLUENCE IN TEHRAN TOWARDS A REDUCTION OF TENSION. THE IRAQI AMBASSADOR THERE WAS WORKING HARD TO LOWER THE TEMPERATURE.

F.C.O. PASS TEHRAN, BAHRAIN RESIDENCY, KUWAIT, ANKARA AND SAVING TO BEIRUT, CAIRO, AMMAN AND JEDDA.

MR EVANS

[REPEATED AS REQUESTED]

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S E C R E T

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ROUTINE TEHERAN

TELNO..FOH 240825Z

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TO HQBFG

24 APRIL 1969

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OLLG FOR HQBFG RFI MODUK NEAF DEFENCE COMCEN PASS FCO BAGHDAD FOR MA AND KUWAIT. FOH APR 240825Z FROM DA FURTHER MY FOH 412 OF 21/4.

I CAN CONFIRM FIRST ARMY ARE ON ALERT AND THAT TENTH ARMY UNITS ARE OUT OF BARRACKS AND IN FIELD, THOUGH ONLY PROPORTION HAVE DUG POSITIONS. SOME UNITS ASTRIDE RD KERMANSHEH KHANAQIN WITHIN TEN MILES OF BORDER WITH IRAQ. I UNDERSTAND UNITS ARE ALSO IN FIELD IN AREAS PAVEN PD 2679, MARIVAN PE 9533, BANEH 8284 AND TO SOUTHWEST OF LAKE REZAIYEH I WAS TOLD BY FORMER CHIEF OF INTELLIGENCE NEW SECRETARY FOR WAR COUNCIL THAT FIRST PRECAUTIONS HAVE BEEN TAKEN IN IRAN WILL AWAIT REACTION TO THEIR REQUESTS TO NEGOTIATE ALSO REACTION TO DECISION NEITHER TO PAY FURTHER DUES TO IRAQ NOR USE IRAQI PILOTS.

2. COMMENT I BELIEVE THAT LACK OF REACTION SO FAR HAS TAKEN SOME HEAT OUT OF FEELINGS HERE. ALSO BOTH SIDES HAVE BECOME AWARE THAT OTHER DOES NOT HAVE THAT CAPABILITY TO LAUNCH OFFENSIVE AGAINST THEM ALONG SHATT. IN ANY CASE, FOR TIME BEING, CONTINUING FLOODS IN THIS PARTICULAR AREA WOULD MAKE SUPPORT OF OPERATIONS EXTREMELY DIFFICULT.

SIR D. WRIGHT

[REPEATED AS REQUESTED] [SENT TO D.C.C.]

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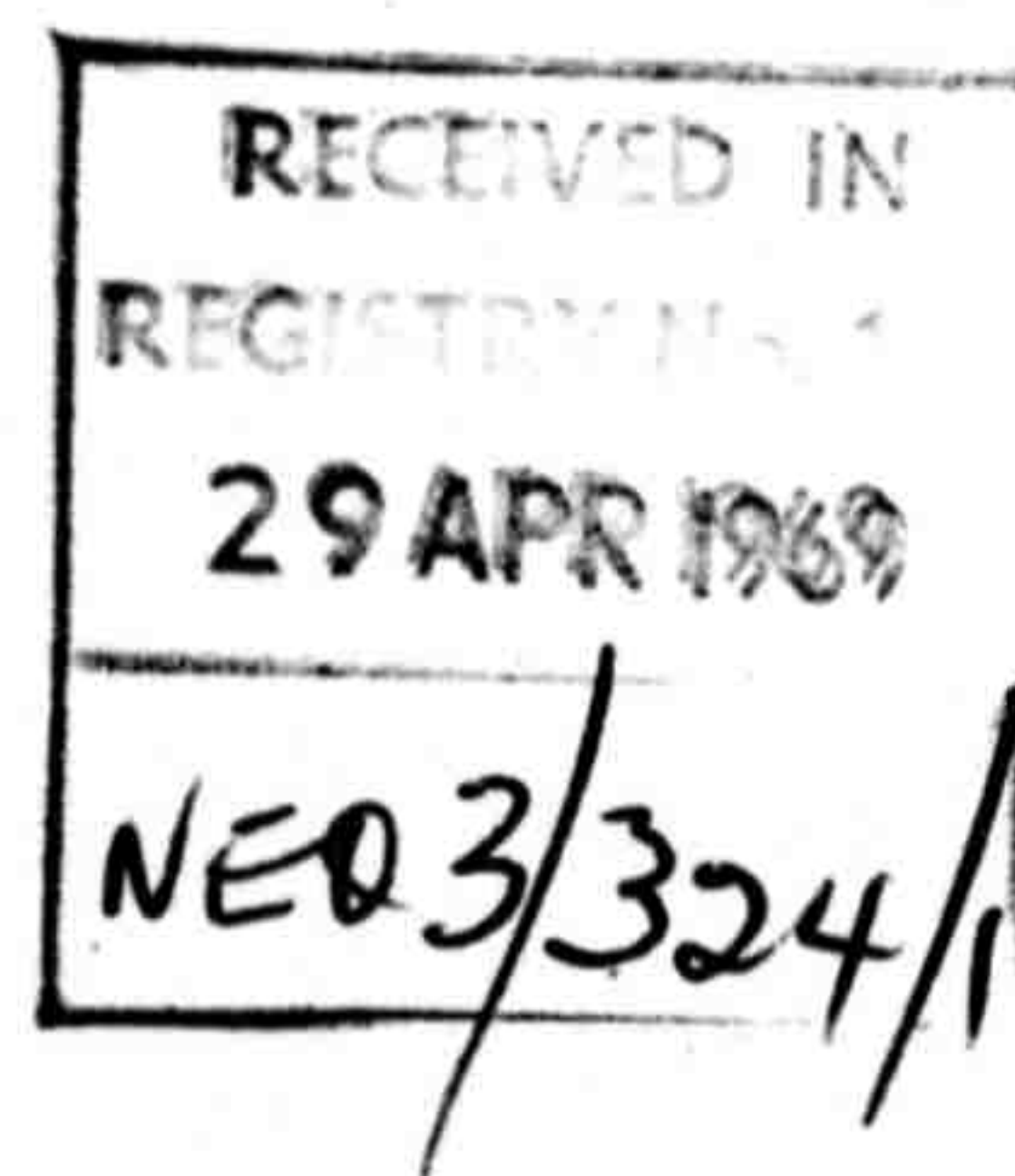
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AMENDMENT SLIP

Tehran telegram No. FOH 240825Z of 24 April
to F.C.O.

[First Army are on alter]

Amend Paragraph 2, line 3 to read,
Does not have that capability.



COMMUNICATIONS DEPARTMENT

29 April 1969

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PRIORITY TEHRAN

TO FOREIGN AND COMMONWEALTH OFFICE

TELNO 355

24 APRIL 1969.

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ADDSD TO FCO TELNO 355 OF 24 APRIL RFI BAGHDAD BONN STOCKHOLM OSLO
COPENHAGEN THE HAGUE UKDEL NATO (BRUSSELS) WASHINGTON TOKYO
BELGRADE AND PARIS

SHIPPING IN SHATT-AL-ARAB.

ALTHOUGH CURRENT DISPUTE BETWEEN IRAN AND IRAQ OVER SHATT AL ARAB HAS NOT SO FAR AFFECTED FOREIGN SHIPPING IT NOW LOOKS AS IF IT MAY DO SO SOON. H M CONSUL , KHORRAMSHAHR, REPORTED THAT BRITISH SHIPPING AGENTS THERE HAVING SOUGHT PERMISSION FOR THE BRITISH INDIA MAIL VESSEL DUMRA TO PROCEED TO KHORRAMSHAHR TO DISEMBARK PASSENGERS AND CARGO PERMISSION HAS BEEN GRANTED SUBJECT TO SHIP FLYING IRANIAN FLAG WHEN IRAQI PILOT BOARDS AT ENTRANCE TO THE SHATT-AL-ARAB. I SHOULD EXPLAIN THAT PERMISSION HAD TO BE SOUGHT TO ENTER KHORRAMSHAHR BECAUSE OF RECENT CLOSURE OF PORT ALLEDGEDLY AS A RESULT OF CONGESTION AND LACK OF ADEQUATE COMMUNICATIONS FOLLOWING HEAVY FLOODING (SEVERAL MILES OF RAILWAY LINE ARE UNDER WATER).

2. THE SHIP IS DUE IN RIVER ON 26 APRIL. IN MEANTIME AGENTS ARE TRYING TO HAVE DECISION ON IRANIAN FLAG REVERSED OR ALTERNATIVELY FOR SHIP TO BE ALLOWED TO FOLLOW 1961 PRECEDENT WHEN BOTH FLAGS WERE FLOWN.

3. I FEAR THAT SUCCESS IN SAILING THEIR OWN SHIP DOWN SHATT ON 21 APRIL WITHOUT IRAQI PILOT OR FLAG HAS ENCOURAGED IRANIANS TO TAKE THIS NEW STEP. THE CONSEQUENCES COULD BE SERIOUS AS IRAQI GOVERNMENT MAY WELL FORBID PILOTS TO BOARD SHIPS FLYING THE IRANIAN FLAG.

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- 2 -

4. I THINK IT IMPORTANT THAT MAIN MARITIME POWERS WHOSE SHIPPING REGULARLY CALLS AT KHORRAMSHAHR (UK SCANDINAVIA NETHERLANDS GERMANY FRANCE JAPAN YUGOSLAVIA) SHOULD SEEK TO CONCERT THE ADVICE THEY GIVE TO SHIPPING COMPANIES ON THIS ISSUE. I HOPE THIS CAN BE DONE URGENTLY AND THAT IN THE MEANTIME YOU CAN GIVE ME GUIDANCE ON WHAT LINE TO TAKE WITH THE IRANIAN AUTHORITIES . AT PRESENT I AM SAYING THAT WE CANNOT RECOGNISE THE UNILATERAL DENUNCIATION OF THE 1937 TREATY AND THAT I HOPE THE IRANIANS WILL NOT TAKE PROVOCATIVE ACTION THAT WOULD FORCE THE HANDS OF THEIR FRIENDS ON THIS DELICATE ISSUE.

5. ONE FURTHER POINT IS THAT OF PILOTAGE. WOULD LLOYDS INSURANCE COVER SHIPS SAILING UP THE SHATT WITH IRANIAN NAVAL PILOT RATHER THAN AN IRAQI? I UNDERSTAND THAT THE IRANIANS ARE THINKING OF SENDING THEIR OWN OCEAN-GOING SHIP ARYA FAR DOWN THE SHATT PROBABLY TODAY WITH AN IRANIAN NAVAL PILOT ON BOARD.

FCO PASS PRIORITY ALL INFORMATION ADDRESSEES.

SIR D. WRIGHT

[REPEATED AS REQUESTED]

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Cutting dated 23 APR 1969 19

PRTM

Baghdad "will not be drawn into war"

IRAQ'S Deputy Premier, Gen. Saleh Mahdi Ammash, said here to-day that Iraq would not allow itself to be drawn into a battle with Iran over the border dispute.

BEIRUT, April 22.

The General was speaking to reporters here during a brief stop while on his way to Poland.

He said Iraq would not react to Iran's "challenges," aimed at exerting pressure for the withdrawal of Iraqi forces stationed in Syria and Jordan.

General Ammash, who is also Interior Minister, said: "If Iran chooses to go ahead with her provocations and challenges we shall not retaliate and shall not allow ourselves to be drawn into a battle with her. Likewise, we shall not withdraw our forces from Syria and Jordan."

In Teheran it was reported that an Iranian freighter sailed down the disputed Shatt Al Arab river border to-day escorted by heavily armed Iranian Navy craft and jet fighters. But an Army announcement to-day said the freighter, Ebne-Sina, which left Abadan, 30 miles up river this morning, flying Iran's tricolour flag from her mast-head, continued its journey in the gulf without incident.

On the Iranian side of the waterway, artillery, heavy tanks, anti-aircraft units and machine-guns covered with camouflage netting have been put in position along the river and around the commercial port of Khorramshahr and the Abadan oil refinery. Iranian jet fighters and Army reconnaissance planes have been flying low over both these places.

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23 APR 1969

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NEQ 3/324/1

War jets fly as ship runs gauntlet



TEHERAN, Tuesday.

A TINY freighter sailed 30 miles under cover of Phantom jet fighters and naval units today—with full-scale war threatening to break out across its bows at any moment.

One shot at the vessel, or any attempt to stop it, would have set Persia and Iraq at each other's throats.

But the Persian freighter Ebne Sina sailed down the disputed Shatt-el-Arab river border into the Persian Gulf without incident.

The 1,300-ton vessel was the first Persian ship to sail through the river since Saturday when Iraq claimed the Shatt-el-Arab as her territory.

On opposing banks artillery, heavy tanks, anti-aircraft units, and machine-guns covered with camouflage netting have been put in position.

FULL-SCALE

When the freighter sailed from Abadan early this morning with a cargo of steel, the Shah of Persia called his Prime Minister, Amir Abass Hoveida, the War Minister, General Bahram Aryana, and his top military advisers to a secret session at the palace.

● TROUBLE came to a head in the area last week when Teheran declared void a navigation treaty with Iraq, claiming that Iraqis had contravened it by boarding Persian fishing boats.

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PMG

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Private Secretary

Cabinet - 24 April

I attach speaking notes and a background note on the
Shatt al Arab dispute between Iraq and Iran.

A. A. Acland

(A. A. Acland)

23 April, 1969

copy to: Mr. Hayman
Mr. Arthur.

Pu PAMM

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CABINET

24 April, 1969

Item 2.: Oversea Affairs

SHATT AL ARAB DISPUTE BETWEEN IRAQ AND IRAN

Speaking Notes [Defensive]

Both the Iraqis and the Iranians have chosen to magnify recent incidents. The Iranians have now said that they abrogate the 1937 Treaty on the grounds that the Iraqis have not fulfilled some of its provisions. As a test of Iraqi intentions an Iranian merchant ship was sent from Khorramshahr on 22 April flying the Iranian flag through Iraqi territorial waters in the disputed area with an Iranian naval and air escort. There were no incidents. The Iraqis have saved face by claiming that they were too wily to fall for any "Imperialist-Zionist" plot to divert their forces from the Israeli front.

2. The Iranians have a supremacy of forces in the area. On the other hand, they have no trained pilots (who would satisfy international insurance requirements for e.g. tankers) for taking their vessels up the Shatt. There is thus something of a stalemate. There were similar incidents in 1959, 1961 and 1965. There remains a risk of serious incidents and tension will continue but both sides are likely to avoid a conflict.

3. Legally the Iraqis have the better case, but we hope that the matter can be disposed of amicably. We do not wish to get involved.

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Oil

4. The latest available figures (1966/67) show that only 16 per cent of Iran's oil production is exported from terminals in the Shatt. Nearly all of this was refined spirit for Asian markets. Interference with oil tankers in the Shatt would not therefore affect the UK interests directly except in terms of our share of the oil consortium's profitability and of our shipping interests.

British Nationals

5. There are about 850 British nationals (including oil company employees) in the Khorramshahr consular area and 67 in Basra. Contingency plans exist for their evacuation but they are not in any danger at present.

/Background.....

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CABINET

24 April, 1969

Item 2.: Oversea Affairs

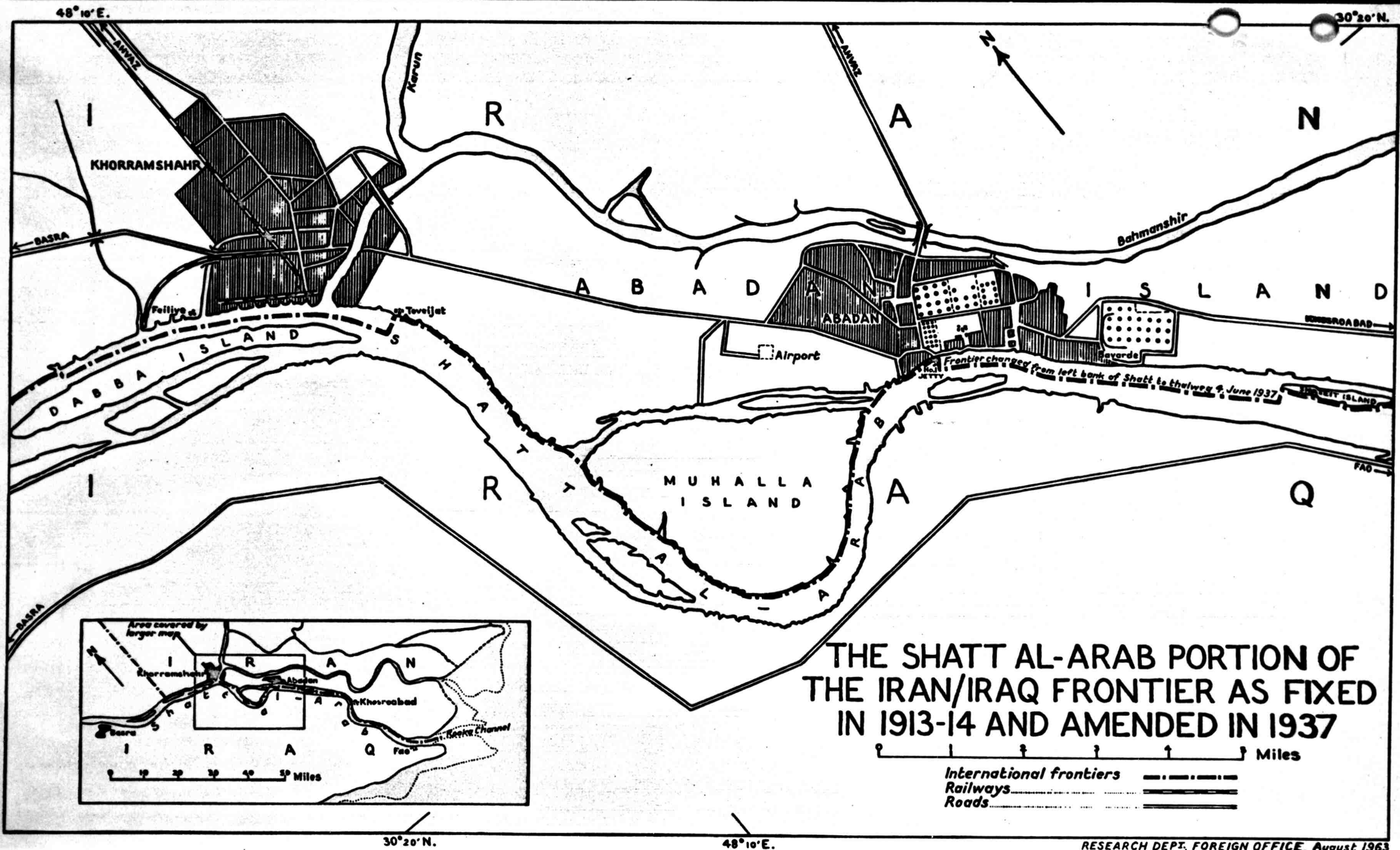
SHATT AL ARAB DISPUTE BETWEEN IRAQ AND IRAN

Background

The root cause of the dispute is Iran's claim to part of the waters of the Shatt al Arab (the lower reaches of the Karun (Iranian) and Tigris (Iraqi) rivers). Under existing treaties between Iraq and Iran (the latest being signed in 1937), it belongs almost entirely to Iraq (map attached).

2. In mid-March there was an incident in which an Iranian fisherman was fired upon and killed in the Shatt al Arab. The Iranians delivered a note of protest (which was rejected) and the Iraqis replied with a note reiterating their claim to the entire waterway with the exception of areas near Khorramshahr and Abadan. The Iranians rejected this note and at the same time both sides redeployed troops in the area. The Iranians have sent reinforcements, but in spite of reports of Iraqi troop movements it is unlikely that the Iraqis have significantly increased their forces since they have a high proportion already deployed in Jordan and in the north against the Kurds. The Iranians, who certainly have naval supremacy, have moved most of their naval vessels out of Shatt and redeployed them further down the Gulf.

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Mr. Layman

Mr. Arthur

Shatt al Arab

Problem

It looks as if the current dispute between Iran and Iraq may affect foreign shipping. A British India ship has been granted permission to proceed to Khorramshahr subject to flying the Iranian flag when the Iraqi pilot boards at the entrance to the Shatt.

2. The ship is due in the river on Saturday, 26 April. The agent is trying to have the decision on the Iranian flag reversed or to obtain agreement that the 1961 precedent be followed when both flags were flown.

Flag A — 3. In his telegram no. 355, ⁴³Sir D. Wright suggests that the main maritime powers should concert the advice which they gave to shipping companies on this issue. He also asks that in the meantime he be given guidance on the line to take with Iranian authorities. This submission deals with the latter point. The 1961 precedent is being investigated and A.M.T.D. are being consulted about concerting advice to shipping companies.

Recommendation

4. I recommend that Sir D. Wright be instructed for the time being on the lines of the attached telegram. Mr. Burrows (Legal Counsellor) and A.M.T.D. agree.

Argument

5. The 1937 Treaty was freely negotiated and signed by the parties. We concluded in 1959 that Iraqi failure (as claimed by the...

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by the Iranians) to observe all the provisions of the Treaty hardly justified unilateral denunciation by the Iranians, We have no reason to suppose that the position has changed. The dispute is mainly a question for the Iranians and Iraqis to sort out between themselves. It is important, however, that the Iranians should not take measures which bring others into the dispute and affect foreign shipping. It could also be pointed out that Iranian action is unlikely to encourage Arab confidence in their good intentions in the area and in the Gulf. Although there may be some rights and wrongs on both sides, we are hardly in a position to adjudicate upon them. Nevertheless it would appear that the Iranians are principally in the wrong and are using their strength to see if they can force the Iraqis to abandon the provisions of the 1937 Treaty.

A. A. Acland

(A. A. Acland)
Near Eastern Dept.
25 April, 1969

source Tel. at Folio (55)

c.c. Mr. Miers

Mr. Heath, A.M.T.D.

Mr. Burrows, Legal Counsellor

Mr. Hinchcliffe

J. B. Annis 25/4.
PA P.M.M.

R. Rayman
25/4/69.

24/6
M. Hinchcliffe
pa.
28/4

I should like the Minister of State to see this before it goes.

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I agree the recommendation and the draft. Ea 25/4

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With the compliments of

M. K. Jenner

BRITISH EMBASSY
BAGHDAD

Reg

Lra

PWMA

25/4

Translation.

No. 6614/6614/4.

Ministry of Foreign Affairs,
Political Department,

Dated, 21 April, 1969.

The Ministry of Foreign Affairs presents its compliments to the Diplomatic Corps accredited to the Republic of Iraq and has the honour to state that the Deputy Iranian Minister for Foreign made a statement at the House of Senate on 19 April, 1969, to the effect that the Frontier Treaty concluded between Iraq and Iran in 1937 is considered, from the point of view of the Iranian Government, as annulled fundamentally. The Deputy Iranian Minister for Foreign Affairs also tackled in his statement the legal measures taken by the Government of the Republic of Iraq to safeguard the peace and security of the country.

The Government of the Republic of Iraq considers this statement as ~~being~~ very grave and that it will also have great effects on the relations existing between the two ^{neighbouring} countries ~~for~~ which Iraq is very anxious to maintain and strengthen in a manner conforming with the ties of bon voisinage, common interests and historical ties. Therefore, the Government of the Republic of Iraq, in adhering to this its attitude, considers it necessary to enlighten the Diplomatic Corps accredited to Iraq with its viewpoint in connection with the abovementioned statement :-

1. The Government of the Republic of Iraq considers the Iranian measure as being unilateral ~~and~~ ^{and} inconsistent with the principles of international law and the respect ^{for} ~~of~~ agreements and treaties. It also considers the Frontier Treaty concluded between Iraq and Iran in 1937 as existing, valid and binding ~~on~~ ^{to} both countries.

2. The subject of the overland and water frontier line between Iraq and Iran and the description of this line was ^{at} ~~on~~ no ^{time} ~~day~~ the subject of dispute between them, since both of them had committed themselves to the provisions of Article 1 of the Frontier Treaty concluded between the two countries at Tehran on the 4th day of July, 1937, which frankly and plainly provided that the under-mentioned documents be considered as legitimate and binding on the two parties, namely :-

- (a) The Protocol relating to the Turko-Persian Delimitation signed at Constantinople on ⁴ November ~~19~~, 1913.
- (b) The Proceedings of the Commission of Delimitation of the Ottoman-Iranian Frontiers of 1913-1914.

These documents described the Iraqi-Iranian frontiers from the North to the sea accurately and plainly in a manner which calls for no doubt.

3. The ^{allegation} ~~attribution~~ made by the Iranian Deputy Minister for Foreign Affairs that the Iraqi Government had not implemented Articles 4 and 5 of the Frontier Treaty concluded between Iraq and Iran in 1937 and Article 2 of the Protocol annexed to it does not conform with actual facts. ^{For} ~~On~~ its part, the Iraqi Government submitted draft agreements for the regulation of navigation in ^{the} Shatt-el-Arab, the last of which was the draft agreement submitted by the negotiating Iraqi delegation during the recent discussions which took place at Baghdad between the Iraqi and Iranian delegations in ~~the month of~~ February, 1969, which, during the negotiations, ^{not} ~~was~~ given the importance due to it by the Iranian party as it wanted to ~~use it as~~ use it as a means to claim rights ~~which have~~ which have no foundation in the Treaty nor any legal basis in the Shatt-el-Arab, which is a national river and part of the ^{territory} ~~region~~ of Iraq and falls under its complete sovereignty. In exercise of this sovereignty, Iraq carried out in a perfect manner the maintenance and improvement of the ^{route} ~~route of~~ navigation and regulated all matters connected therewith with no complaint whatever from the States and navigation companies which benefit from the use of ~~the~~

Shatt-el-Arab for navigation purposes.

In conformity with its policy of consolidating its relations with ^{its} ~~the~~ neighbour, Iran, the Government of the Republic of Iraq entered into official discussions with Iran ^{between} ~~during the interval from~~ 1 ^{and} to 9 February, 1969, in accordance with the broad lines contained in the joint ~~notifications~~ ^{statement} issued as a result of the visits made by the responsible officials of the two countries on 19 December, 1966, 19 March, 1967, and 28 June, 1968, which ^{dealt with} ~~embodied the~~ outstanding questions between the two countries. To stress the ^{sincere} ~~the~~ desire of the Government of the Republic of Iraq and its good ^{will} ~~intention~~ to solve all outstanding questions between ~~the~~ two countries, the negotiating Iraqi delegation submitted draft agreements for the settlement of those questions and for the organisation of cooperation between the two countries for the purpose of consolidating ~~the~~ relations between them during those negotiations. These drafts dealt with the following :-

1. Draft Agreement of Bon Voisinage and a Protocol for the Maintenance of Peace of the Frontier Districts between the two countries.
2. Draft ^{Agreement on} Judicial Cooperation and the Implementation of Decrees between the two countries ~~Agreement~~.
3. Draft Agreement for the Extradition of Criminals.
4. Draft Residence and Nationality Agreement.
5. Draft Agreement for Cooperation in Combatting Smuggling.
6. Draft Agreement for the Organisation of Pasturage between the two countries.
7. Draft Tourism Agreement.
8. Draft Agreement for Facilitating Pilgrimage to the Holy Shrines.

This ^{was} in addition to the draft Agreement relating to the Maintenance and Improvement of Navigation in Shatt-el-Arab.

4. The statement made by the Iranian Deputy Minister for Foreign Affairs ^{about} ~~of~~ the ill-treatment of Iranian subjects in Iraq does not conform with actual facts, as foreign ~~nationals~~ ^{residents} in Iraq, including ~~the~~ Iranians, are given a respectable treatment, and the Residence Law of Iraq applies to them all equally and without discrimination. As to the treatment of foreign infiltrators to Iraqi territory illegitimately, the Government of the Republic of Iraq, in pursuance of the right of sovereignty, resorted to the implementation of its laws against such infiltrators in order to safeguard its security and national interest. The ~~allegation~~ ^{allegation} ~~attribution~~ made by the Iranian Deputy Minister for Foreign Affairs that Iranian subjects had been placed under detention and that violence was used against them, does not conform with actual facts.

The Government of the Republic of Iraq, anxious to facilitate the residence of Iranian subjects in Iraq and to encourage tourism and pilgrimage to the Holy Shrines, submitted during the recent negotiations between the two countries two draft Agreements for Residence and Nationality and another for Tourism and the Organisation of Pilgrimage between the two countries.

5. The Government of the Republic of Iraq, in expressing its deep regret for the statement made by the Iranian Deputy Minister for Foreign Affairs, which ^{contained} ~~embodied~~ the annulment of the existing treaty between the two countries and unfounded charges, desires to stress on its part that the Iraqi Republic was subjected during the recent years to a series of aggressions ^{against} ~~on~~ Iraqi territory in the various frontier districts with Iran, which caused great damage to the interests, lives and property of Iraqis in these districts. Further, the Iranian authorities resorted to the construction of Iranian posts within Iraqi territory, stopped the flow of the waters of ^(share) ~~common~~ rivers to the farmers and natives of

Iraqi territory, placed heavy restrictions on the entry of Iraqi shepherds into Iranian pasturages in contravention of ~~the old~~ traditional usage, and continued to afford facilities and assistance to the rebels and ~~destructionists~~ ^{Saboteurs} with a view to disturbing peace and stability in Iraq. The Iranian information media also waged a biased campaign against Iraq which was based on the distortion of facts and interference in the internal affairs of Iraq.

~~All~~ These aggressions and contraventions on the part of Iran were not ~~not~~ reciprocated by the Government of the Republic of Iraq, which resorted to the settlement thereof by negotiations and peaceful means in view of its anxiety for the continuance and maintenance of cordial relations.

6. The Ministry of Foreign Affairs of the Republic of Iraq, in ~~reviewing~~ ^{presenting} the above-mentioned facts to the esteemed Diplomatic Corps, announces that the Government of the Republic of Iraq reserves its full right to take legitimate and lawful measures which will guarantee the safeguarding of the ~~region~~ ^{territory} and sovereignty of the Republic of Iraq and the defence of its interests.

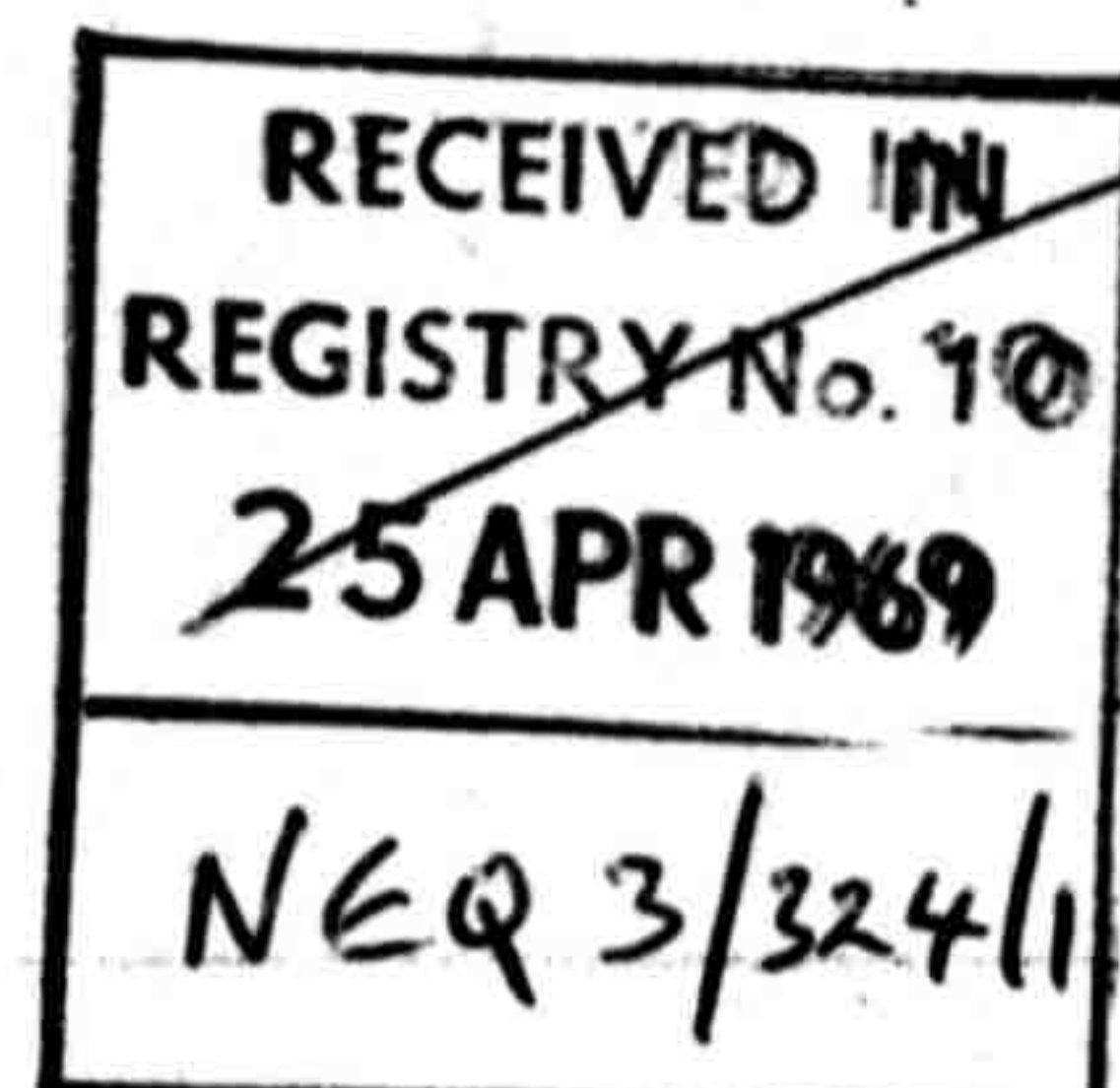
The Ministry avails itself of this opportunity to express its highest consideration and esteem.

Her Britannic Majesty's Embassy,
Baghdad.

EN CLAIR
BAGHDAD
TELNO. 394

TO FOREIGN AND COMMONWEALTH OFFICE
24 APRIL, 1969

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ADDSD TO FCO TELNO 394 OF 24 APRIL RFI TO BAHRAIN RESIDENCY
TEHRAN AND KUWAIT.

MY TELNO 394. (41)

IRAQ/IRAN RELATIONS.

THE IRAQI PRESS TODAY FOR THE FIRST TIME IMPLICATES BRITAIN SPECIFICALLY IN THE BORDER CRISIS WITH IRAN. AL JUMHURRIYA SEES A CONNEXION BETWEEN THE CONSERVATIVE PARTYS POLICY IN THE GULF AND THE IRANIAN ABROGATION OF THE 1937 BORDER TREATY THIS IS SEEN AS PART OF AN IMPERIALIST CONSPIRACY TO DIVERT IRAQ FROM THE STRUGGLE WITH ISRAEL. AL THAWRA CLAIMS THAT BRITAIN INSTIGATED IRAN TO START THE BORDER CRISIS IN ORDER TO DISTRACT IRAQ FROM HER NATIONAL DUTY. FULL PRESS SUMMARY FOLLOWS IN NEXT BAG

MR. EVANS

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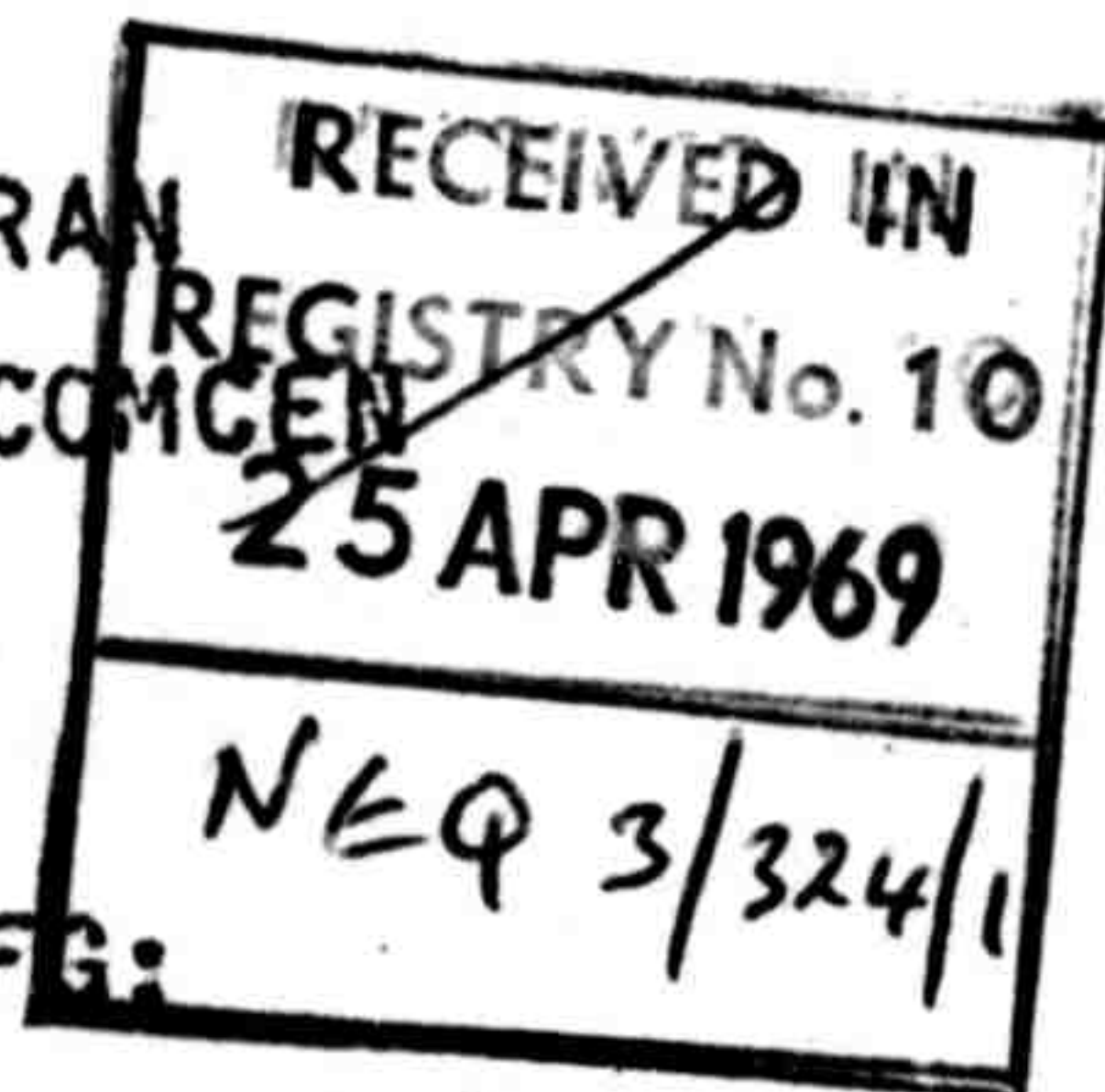
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ROUTINE BAGHDAD
TELEGRAM NUMBER 391

TO FOREIGN AND COMMONWEALTH OFFICE
24 APRIL 1969.

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FOLLOWING RECEIVED FROM BAGHDAD

ADDRESSED TO FCO TELNO 391 OF 24 APRIL RFI TO TEHRAN
BAHRAIN RESIDENCY KUWAIT MOD AND HQ BFG (DEFENCE CONCERN
PLEASE PASS).



DA TEHRAN'S TELNO FOH 412 211100Z APR TO HQ BFG:
IRAQ/IRAN RELATIONS.

IN CONVERSATION WITH MY DA TODAY IRANIAN MA AGREED
THAT:

(A) THERE WAS PROBABLY NO BUILD UP OF IRAQI ARMY UNITS
IN BASRA AREA-

(B) WITH EXCEPTION OF 3 DIVISION IN JORDAN, MAJORITY
OF IRAQI ARMY WAS DEPLOYED IN KURDISTAN-

(C) 6 DIVISION SITUATED IN KHANAQIN AREA
(WHERE, ACCORDING TO A SOURCE QUOTED IN TEL UNDER REFERENCE,
IRANIANS BELIEVE IRAQIS TO HAVE CONCENTRATED THEIR
STRENGTH) CONSISTED OF DIVISIONAL HQ AND TWO UNDER STRENGTH
ARMoured REGIMENTS AND WAS OF NO MILITARY SIGNIFICANCE-

(D) HE ACCEPTED DENIAL MADE BY GENERAL AMMASH, IRAQI DEPUTY PRIME
MINISTER, ON 22 APRIL IN BEIRUT THAT IRAQ HAD MASSED TROOPS
ON HER BORDERS WITH IRAN.

FCO PASS TO TEHRAN BAHRAIN RESIDENCY KUWAIT AND MINISTRY OF DEF
ENCE.

MR. EVANS [REPEATED AS REQUESTED] [SENT TO D.C.C.]

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S E C R E T

IMMEDIATE TEHRAN
TELEGRAM NO 358

TO FOREIGN AND COMMONWEALTH OFFICE
25 APRIL 1969



SECRET

ADDS TO FCO TELNO 358 OF 25 APRIL RFI BAGHDAD
IRANO/IRAQI RELATIONS

MY AIR ATTACHE WAS THIS MORNING ASKED BY IRANIAN AIR FORCE HEADQUARTERS IF HE COULD PROVIDE ALL POSSIBLE INFORMATION IN OUR POSSESSION REGARDING IRAQI RADAR COVERAGE. IN MAKING THIS REQUEST AIR ATTACHE WAS REMINDED THAT THE IRANIAN AUTHORITIES KNEW WE MUST HAVE SUCH INFORMATION GIVEN THE FACILITIES MADE AVAILABLE TO US BY THE IRANIANS. AIR ATTACHE IN REPLY SAID HE HAD NO INFORMATION HERE BUT WOULD PASS THE REQUEST ON TO LONDON. HE WAS ASKED TO DO ALL HE COULD TO OBTAIN THE INFORMATION QUICKLY.

2. SEEN FROM HERE, UNLESS WE RESPOND FAVOURABLY TO THIS REQUEST FROM OUR CENTO ALLY THERE IS A DANGER THAT THE VARIOUS AND VALUABLE FACILITIES GRANTED TO US HERE MAY BE AT RISK. AIR ATTACHE IS FORWARDING REQUEST TO MINISTRY OF DEFENCE WHO WILL NO DOUBT BE CONSULTING YOU.

FCO PASS BAGHDAD.

SIR D. WRIGHT

[REPEATED AS REQUESTED]

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PRIORITY TEHRAN

TO FOREIGN AND COMMONWEALTH OFFICE

TELEGRAM NUMBER 359

25 APRIL 1969

RECEIVED IN
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28 APR 1969

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ADDSO TO FCO TELNO 359 OF 25 APRIL RFI BAGHDAD BONN STOCKHOLM OSLO
COPENHAGEN THE HAGUE UKDEL NATO (BRUSSELS) TOKYO BELGRADE PARIS
AND WASHINGTON

MY TELNO 355: SHIPPING IN SHATT-AL-ARB.

AS FAR AS I CAN LEARN IRANIANS ARE LIKELY TO INSIST ON FOREIGN
SHIPPING BOUND FOR KHORRAMSHAHR AND ABADAN BUT NOT (REPEAT NOT)
BASRA FLYING THE IRANIAN FLAG. THEIR ARGUMENT IS THAT IT IS A
RECOGNISED INTERNATIONAL CONVENTION THAT SHIPPING TRANSITTING
INTERNATIONAL WATERS (WHICH THEY CONSIDER THE SHATT-AL-ARB TO
BE) ONLY NEED CARRY THE FLAG OF THE PORT TO WHICH THE SHIP IS BOUND.

2. THE IRAQI AMBASSADOR, WHO CALLED ON ME LAST NIGHT, TOLD ME
THAT THE IRAQI AUTHORITIES WERE IN NO POSITION TO REACT WITH FORCE TO
PRESENT IRANIAN PROVOCATIVE POLICY AND IN PARTICULAR SAID THAT THEY
WOULD NOT TAKE ACTION AGAINST IRANIAN SHIPS NOT FLYING THE IRAQI
FLAG ON THE SHATT-AL-ARAB. THE IRAQI CONSUL IN KHORRAMSHAHR HAS BEEN
SAYING MUCH THE SAME THING.

FCO PASS PRIORITY ALL INFO ADDRESSEES.

SIR D. WRIGHT

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ROUTINE TEHRAN
TELEGRAM NO. 362

TO FOREIGN AND COMMONWEALTH OFFICE
26 APRIL 1969

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28 APR 1969

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ADDRESSED TO FCO TELEGRAM NO 362 OF 26 APRIL, REFEATED FOR
INFORMATION TO BAGHDAD, KUWAIT AND BAHRIAN RESIDENCY.

MY TEL NO 355: IRANO/IRAQI RELATIONS.

THE 12,000 TON ARYA LINE VESSEL "ARYA FAR" SAILED DOWN THE SHATT
YESTERDAY FLYING THE IRANIAN FLAG AND WITH AN IRANIAN NAVAL PILOT.
A NAVAL ESCORT AND AIR COVER WERE PROVIDED. ACCORDING TO PRESS
REPORTS (WHICH HAVE BEEN CONFIRMED TO MY NAVAL ATTACHE), WHEN THE
VESSEL WAS OFF FAO THREE IRAQI NAVAL PATROL BOATS SIGNALLED TO IT
TO STOP BUT THE IRANIAN NAVAL ESCORT REPLIED THAT THE
"ARYA FAR" WAS IN IRANIAN TERRITORIAL WATERS AND WOULD NOT,
THEREFORE DO SO. THE IRAQIS MADE NO ATTEMPT TO INTERFERE.

2. AGAIN ACCORDING TO PRESS REPORTS, SOME 25 PILOTS HAVE BEEN TAKEN
ON BY KHORRAMSHAHR PORT AUTHORITY IN ADDITION TO FIFTY TRANSFERRED
FROM OTHER IRANIAN PORTS. THE SENIOR PILOT IS SAID TO BE NASROLLAH
AMANPUR WHO "RETURNED TO IRAN TWO MONTHS AGO TO START A TRAINING
PROGRAMME FOR PILOTS IN KHORRAMSHAHR AND ABADAN" AFTER 12
YEARS WORKING ON THE SUEZ CANAL.

3. THE PRESS CONTINUE TO SUPPORT THE LINE TAKEN BY THE GOVERNMENT
BUT TODAY'S KAYHAN INTERNATIONAL CALLS FOR BILATERAL TALKS "TO
WORK OUT NEW ARRANGEMENTS BASED ON A MUTUALLY ACCEPTABLE TREATY
FOR REGULATING TRAFFIC IN THE SHATT".

FCO PASS BAGHDAD

SIR D. WRIGHT

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ROUTINE BAGHDAD
TELEGRAM NUMBER 397

TO FOREIGN AND COMMONWEALTH OFFICE
26 APRIL 1969

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RECEIVED IN REGISTRY No. 10 28 APR 1969 N 6 Q 3/324/1

ADDRESSED TO F.C.O. TELNO. 397 OF 26 APRIL REPEATED
FOR INFORMATION TO TEHRAN, BAHRAIN RESIDENCY KUWAIT.

MY TELNO. 390: IRAQ/IRAN RELATIONS.

ALTHOUGH IT SEEMED POSSIBLE THAT THE GUARDS ON THIS
AND OTHER EMBASSIES WERE BEING REINFORCED (AS THEY NOW
HAVE BEEN) BECAUSE THE IRAQIS EXPECTED OR WERE PREPARING
TO ORGANISE PROTEST DEMONSTRATIONS, NOTHING OF THE KIND
HAS IN FACT HAPPENED. THE IRAQIS HAVE PROBABLY CALCULATED
THAT THEIR INTERESTS ARE BEST SERVED BY NOT ALLOWING THE
STRONG PRESS CRITICISM (MY TELS. NOS. 378 AND 394) —
TO LEAD TO DEMONSTRATIONS WHICH COULD COMPLICATE THE
SITUATION FURTHER.

2. THE AUTHORITIES HAVE NEVERTHELESS TAKEN STEPS TO PUT
PRESSURE ON TEHRAN BY ARRESTING IN RECENT DAYS WHAT MAY WELL
NUMBER SOME HUNDREDS OF IRANIANS WHO ARE LIVING AND WORKING
IN BAGHDAD ILLEGALLY.

FCO PASS TEHRAN BAHRAIN RESIDENCY AND KUWAIT.

MR EVANS

[REPEATED AS REQUESTED]

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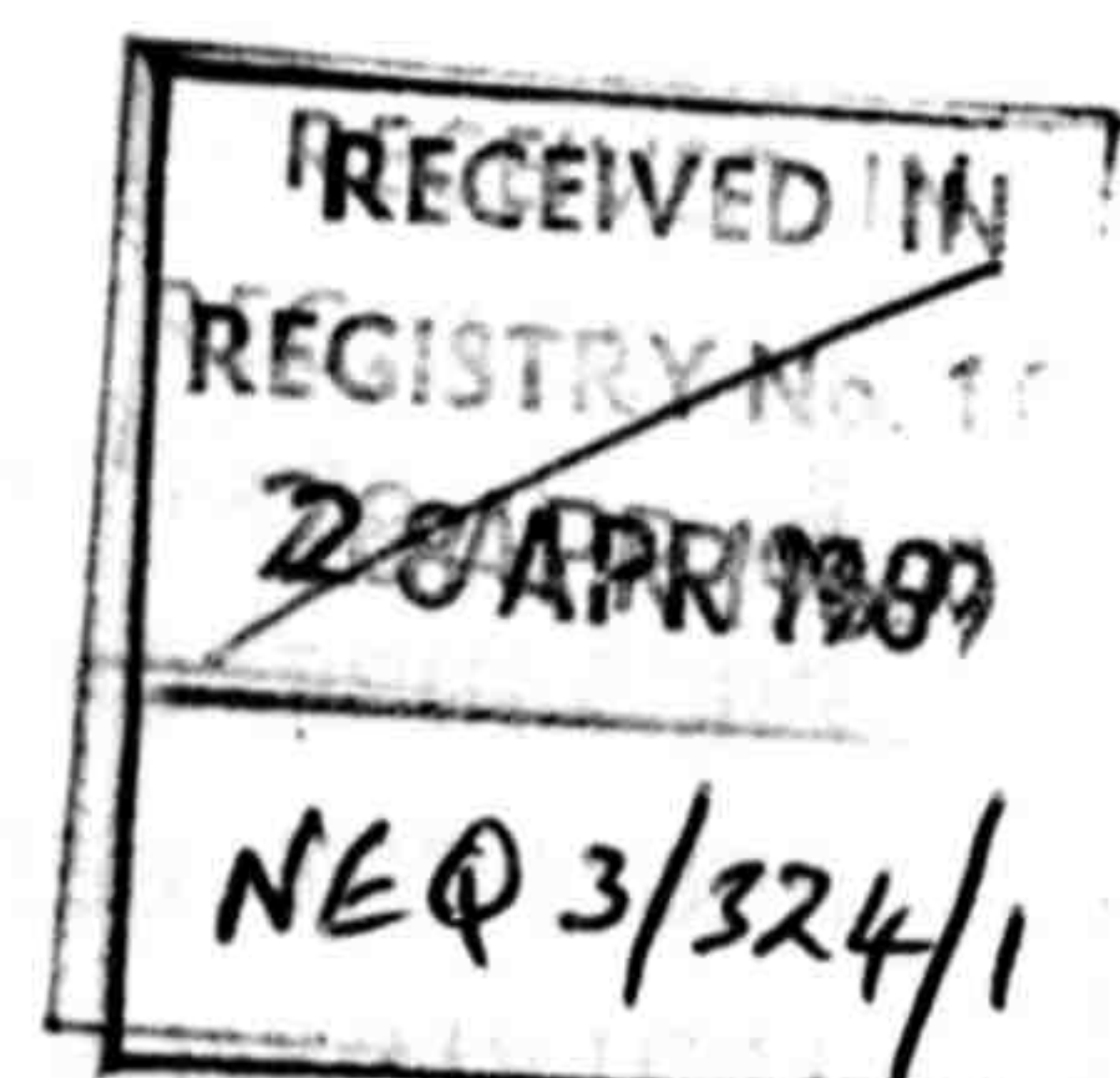
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TELEGRAM NO 399

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TO FOREIGN AND COMMONWEALTH OFFICE
26 APRIL 1969

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ADDSO TO FCO TEL NO 399 OF 26 APRIL REPTD FOR INFMN
TO TEHRAN BAHRAIN RESIDENCY AND KUWAIT.

MY TELEGRAM NO 397: IRAQ-IRAN RELATIONS.

MY IRANIAN COLLEAGUE, ON WHOM I CALLED THIS MORNING,
CONFIRMED THAT THERE HAD BEEN NUMEROUS ARRESTS OF
IRANIAN NATIONALS. MANY HAD BEEN DEPORTED AND SOME
MAL-TREATED. MORE SERIOUS, AN IRANIAN, EMPLOYED
AS A WAITER, HAD BEEN CONDEMNED TO DEATH BY A
MILITARY COURT FOR HIS PART IN AN ATTEMPTED BOMB OUTRAGE.
DR AMELI HAD YESTERDAY APPEALED TO THE DEPUTY MINISTER OF
FOREIGN AFFAIRS, WHO HAD UNDERTAKEN TO SPEAK TO
THE MINISTER, BUT HIS NOTE HAD BEEN RETURNED.

2. ACCORDING TO DR AMELI, THERE ARE SOME 150,000
IRANIAN NATIONALS IN IRAQ WHOSE PAPERS ARE IN
ORDER, AN UNKNOWN NUMBER OF ILLEGAL ENTRANTS,
AND ABOUT HALF A MILLION IRAQIS WHO WERE OF IRANIAN ORIGIN.

3. AS REGARDS THE SHATT-AL-ARAB? MY IRANIAN
COLLEAGUE SAID THAT HIS GOVERNMENT REGARDED THE SHATT AS AN
INTERNATIONAL WATERWAY AND THERE WAS NO GOING BACK ON THIS.
IRAN WOULD, HOWEVER, NEVER USE FORCE AGAINST IRAQ
UNLESS SHE WERE ATTACKED, AND SHE WAS READY TO
NEGOTIATE.

4. I TOLD DR AMELI THAT THE IRAQIS HAD INFORMED US THAT THEY
TOO WOULD NOT USE FORCE AND WERE PREPARED TO TALK - PLEASE
SEE MY TELEGRAM NO 390, ADDING THAT UNFORTUNATELY
EACH PARTY COULD DO THE OTHER A GREAT DEAL OF HARM
AND THAT THIRD PARTIES MIGHT SUFFER IN THE PROCESS.

5. THE

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- 2 -

5. THE IRAQI GOVERNMENT HAVE, OF COURSE, FEW MEANS OF BRINGING PRESSURE ON TEHRAN OTHER THAN TAKING MEASURES AGAINST THE IRANIAN RESIDENT HERE. UNFORTUNATELY, AS SO OFTEN HAPPENS, IT IS INNOCENT INDIVIDUALS WHO SUFFER.

FCO PASS TEHRAN, BAHRAIN RESIDENCY AND KUWAIT.

MR. EVANS

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PRIORITY FOREIGN AND COMMONWEALTH OFFICE

TO TEHRAN

TELEGRAM NUMBER 270

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(NE) 3/324/1

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ADDRESSED TO TEHRAN TELEGRAM NUMBER 270 OF 25 APRIL REPEATED FOR INFORMATION TO BAGHDAD, BONN, STOCKHOLM, OSLO, COPENHAGEN, THE HAGUE, UKDEL NATO BRUSSELS, TOKYO, WASHINGTON, UKMIS NEW YORK, BELGRADE, PARIS, BAHRAIN, KUWAIT AND JEDDA.

43
YOUR TELEGRAM NO. 355 (NOT TO ALL): SHIPPING IN SHATT AL ARAB.

1957
WE AGREE THAT IT IS IMPORTANT TO CONSULT THE MAIN MARITIME POWERS TO CONCERT THE ADVICE WHICH MAY HAVE TO BE GIVEN TO SHIPPING COMPANIES. WE WILL SET THIS IN TRAIN AS SOON AS POSSIBLE AND ARE INVESTIGATING THE 1961 PRECEDENT OF FLYING BOTH FLAGS AND IN PARTICULAR TO SEE WHETHER THIS WAS ADOPTED ON THE BASIS OF GOVERNMENTAL ADVICE. MEANWHILE, THE AGENTS FOR DUMRA WILL HAVE TO DECIDE WHAT ACTION TO TAKE IN THEIR OWN BEST INTERESTS.

2. ALTHOUGH THERE MAY BE RIGHTS AND WRONGS ON BOTH SIDES, THE IRANIANS APPEAR TO BE MAINLY TO BLAME FOR PROVOKING THE PRESENT DIFFICULTIES. IN 1959 WE CONCLUDED THAT THERE WAS NOT MUCH JUSTIFICATION FOR THE IRANIAN CLAIM THAT IRAQI FAILURE TO OBSERVE ALL THE PROVISIONS OF THE 1937 TREATY GAVE THE IRANIANS THE RIGHT TO DENOUNCE IT UNILATERALLY. UNTIL WE ARE CONVINCED THAT SOME NEW SITUATION HAS ARISEN WE HAVE LITTLE ALTERNATIVE BUT TO RECOGNISE THAT THE FRONTIER REMAINS AS SETTLED BY THE 1937 AGREEMENT.

3. THIS IS BROADLY IN ACCORDANCE WITH THE LINE WHICH YOU HAVE TAKEN WITH THE IRANIAN AUTHORITIES, AS REPORTED IN YOUR PARAGRAPH 4.

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/YOU SHOULD

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-2-

YOU SHOULD ADD HOWEVER THAT WE CONSIDER THAT THE DISPUTE, UPON WHICH WE ARE HARDLY IN A POSITION TO ADJUDICATE, IS PRIMARILY BETWEEN THE IRANIANS AND THE IRAQIS AND THAT WE HOPE IT CAN BE AMICABLY SETTLED. THEY MIGHT CONSIDER ONE OF THE MEANS OF PEACEFUL SETTLEMENT MENTIONED IN ARTICLE 33 OF THE U.N. CHARTER. MEANWHILE, IT CAN BE IN NO-ONE'S INTEREST FOR THEM TO TAKE MEASURES WHICH WILL INVOLVE THIRD PARTIES AND THE SHIPPING OF OTHER NATIONS. YOU COULD ALSO SAY, IF YOU FIND AN OPPORTUNITY TO DO SO WITHOUT BEING PROVOCATIVE, THAT THE IMPRESSION THE IRANIANS ARE MAKING OVER THE SHATT AL ARAB IS HARDLY LIKELY TO INSTIL CONFIDENCE ON THE PART OF THE ARABS OR IMPROVE IN THE WIDER CONTEXT THE PROSPECTS FOR STABILITY IN THE GULF. THE SAUDI AMBASSADOR, WHO IS A GOOD FRIEND OF THE IRANIANS, HAS ALREADY MADE THIS POINT TO US.

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PRIORITY FOREIGN AND COMMONWEALTH OFFICE

TO TEHRAN

TELEGRAM NUMBER 270

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ADDRESSED TO TEHRAN TELEGRAM NUMBER 270 OF 25 APRIL REPEATED FOR INFORMATION TO BAGHDAD, BONN, STOCKHOLM, OSLO, COPENHAGEN, THE HAGUE, UKDEL NATO BRUSSELS, TOKYO, WASHINGTON, UKMIS NEW YORK, BELGRADE, PARIS, BAHRAIN, KUWAIT AND JEDDA.

YOUR TELEGRAM NO. 355 (NOT TO ALL): SHIPPING IN SHATT AL ARAB.

1959
in fact
WE AGREE THAT IT IS IMPORTANT TO CONSULT THE MAIN MARITIME POWERS TO CONCERT THE ADVICE WHICH MAY HAVE TO BE GIVEN TO SHIPPING COMPANIES. WE WILL SET THIS IN TRAIN AS SOON AS POSSIBLE AND ARE INVESTIGATING THE 1961 PRECEDENT OF FLYING BOTH FLAGS AND IN PARTICULAR TO SEE WHETHER THIS WAS ADOPTED ON THE BASIS OF GOVERNMENTAL ADVICE. MEANWHILE, THE AGENTS FOR DUMRA WILL HAVE TO DECIDE WHAT ACTION TO TAKE IN THEIR OWN BEST INTERESTS.

2. ALTHOUGH THERE MAY BE RIGHTS AND WRONGS ON BOTH SIDES, THE IRANIANS APPEAR TO BE MAINLY TO BLAME FOR PROVOKING THE PRESENT DIFFICULTIES. IN 1959 WE CONCLUDED THAT THERE WAS NOT MUCH JUSTIFICATION FOR THE IRANIAN CLAIM THAT IRAQI FAILURE TO OBSERVE ALL THE PROVISIONS OF THE 1937 TREATY GAVE THE IRANIANS THE RIGHT TO DENOUNCE IT UNILATERALLY. UNTIL WE ARE CONVINCED THAT SOME NEW SITUATION HAS ARISEN WE HAVE LITTLE ALTERNATIVE BUT TO RECOGNISE THAT THE FRONTIER REMAINS AS SETTLED BY THE 1937 AGREEMENT.

3. THIS IS BROADLY IN ACCORDANCE WITH THE LINE WHICH YOU HAVE TAKEN WITH THE IRANIAN AUTHORITIES, AS REPORTED IN YOUR PARAGRAPH 4.

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/YOU SHOULD

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-2-

YOU SHOULD ADD HOWEVER THAT WE CONSIDER THAT THE DISPUTE, UPON WHICH WE ARE HARDLY IN A POSITION TO ADJUDICATE, IS PRIMARILY BETWEEN THE IRANIANS AND THE IRAQIS AND THAT WE HOPE IT CAN BE AMICABLY SETTLED. THEY MIGHT CONSIDER ONE OF THE MEANS OF PEACEFUL SETTLEMENT MENTIONED IN ARTICLE 33 OF THE U.N. CHARTER. MEANWHILE, IT CAN BE IN NO-ONE'S INTEREST FOR THEM TO TAKE MEASURES WHICH WILL INVOLVE THIRD PARTIES AND THE SHIPPING OF OTHER NATIONS. YOU COULD ALSO SAY, IF YOU FIND AN OPPORTUNITY TO DO SO WITHOUT SEEMING PROVOCATIVE, THAT THE IMPRESSION THE IRANIANS ARE MAKING OVER THE SHATT AL ARAB IS HARDLY LIKELY TO INSTIL CONFIDENCE ON THE PART OF THE ARABS OR IMPROVE IN THE WIDER CONTEXT THE PROSPECTS FOR STABILITY IN THE GULF. THE SAUDI AMBASSADOR, WHO IS A GOOD FRIEND OF THE IRANIANS, HAS ALREADY MADE THIS POINT TO US.

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28 APR 1969

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Draft Telegram to:—

Tehran

No. 270

(Date) 25/4

And to:—

Addressed to TEHRAN

telegram No. 270 (date) 25 April

And to

repeated for information to BAGHDAD, BONN, STOCKHOLM, OSLO,
COPENHAGEN, THE HAGUE, UKDEL NATO BRUSSELS, TOKYO,
WASHINGTON, UKMIS NEW YORK, BELGRADE, PARIS,
~~XXXXXXXX~~ BAHRAIN, KUWAIT. JEDDA

Repeat to:—

Baghdad, Bonn,
Stockholm, Oslo,
Copenhagen, The
Hague, UKDel
NATO Brussels,
Washington,
UKMis New York,
~~XXXXXXXX~~
Belgrade,
Paris,
Bahrain,
Kuwait.
Jedda.

TOKYO.

Distribution:—

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Copies to:—

Your telegram no.355 (not to all): Shipping
in Shatt al Arab.

We agree that it is important to consult the
main maritime powers to concert the advice which may
have to be given to shipping companies. We will set
this in train as soon as possible and are investig-
ating the 1961 precedent of flying both flags and
in particular to see whether this was adopted on the
basis of governmental advice. Meanwhile, the agents
for Dumra will have to decide what action to take in
their own best interests.

2. Although there may be ~~some~~ rights and wrongs on
both sides, the Iranians appear to be mainly to blame
for provoking the present difficulties. In 1959 we
concluded that there was not much justification for
the Iranian claim that Iraqi failure to observe all
the provisions of the 1937 Treaty gave the Iranians

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NOTHING TO BE WRITTEN IN THIS MARGIN

1838
20/4/69

the right to denounce it unilaterally. Until we are convinced that some new situation ^{has} arisen we have little alternative but to recognise that the frontier remains as settled by the 1937 Agreement.

3. This is broadly in accordance with the line which you have taken with the Iranian authorities, as reported in your paragraph 4. You should add however that we consider that the dispute, upon which we are hardly in a position to adjudicate, is primarily between the Iranians ^{and} the Iraqis and that we hope it can be amicably settled. ^{They might consider} ~~It is~~ one of the means of peaceful settlement mentioned in Article 33 of the U.N. Charter. Meanwhile, it can be in no-one's interest for them to take measures which will involve third parties and the shipping of other nations. You could also say, ^{if you find an opportunity to do so without seeming provocative,} ~~when an opportunity offers~~ that the impression the Iranians are making over the Shatt al Arab is hardly likely to instil confidence on the part of the Arabs or improve in the wider context the prospects for stability in the Gulf. The Saudi Ambassador, who is a good friend of the Iranians, has already made this point to us.

NOTHING TO BE WRITTEN IN THIS MARGIN

M 25/4

PARLIAMENTARY STATEMENT ON RELATIONS WITH IRAQ

The following is the text of the prepared reply by Mr. Amir-Khosrow Afshar, Deputy Minister of Foreign Affairs, to a question by Senator Mohsen Razi, at the Senate session of Saturday, April 19, 1969:

Mr. President, I thank the honourable senator for having earlier submitted to the government the question he intended to raise and thus giving us an opportunity to prepare our reply, which is now ready and which I submit with your permission.

In respect of the incident of 6th March which led to the killing of an Iranian fisherman, the Iranian frontier officer immediately protested to the Iraq frontier officer. The Imperial Embassy in Baghdad also protested against the action of the Iraqi Government, demanding an explanation. It pointed out that Iraqi officials should be instructed to avoid repetition of such violations and to pay damages. Unfortunately, no answer has as yet been received from the Iraqi Government.

Concerning the fisherman's incident of 23rd March which led to their detention, the Imperial Embassy in Baghdad immediately protested to the Iraqi Government and demanded their prompt release. As the honourable Senator has already been informed, the Iraqi Government released the detainees.

Concerning the restrictions and persecution of Iranian citizens domiciled in Iraq, the reports reaching the honourable Senator are unfortunately true. For some time now, the Iraqi authorities have been dealing harshly with Iranians domiciled in Iraq; they have detained a number of them without evidence. According to reliable reports, some of them have been tortured in Iraqi jails. I don't know whether the honourable Senator knows that the Baghdad Radio and television have broadcast false statements which a detained Iraqi communist had been forced to make.

The purpose of all such provocations are obvious, but I do not wish to go into lengthy details about them at this time. However, I assure you that the Imperial Government is completely vigilant while it hopes that the Iraqi Government will realise the unpleasant and dangerous consequences of such violations, restrictions, provocations, puppet shows.

I should like to take this opportunity to speak briefly about the question of Shatt al-Arab which has been known since ancient times by its real name Arvandrud, the common Iran-Iraq frontier.

In pursuit of the peaceful intentions of the Shahanshah Aryamehr and in view of the old ties with Iraq, the Imperial Government of Iran has always endeavoured to peacefully settle its frontier disputes with Iraq, the most important of which concern Iranian rights in Shatt al-Arab. However, since the conclusion of the 1937 Iran-Iraq frontier treaty, the Iraqi Government has never wanted to bind itself to its obligations under the treaty. The two basic articles, i.e. Articles 4 and 5, and clause 2 of the appended protocol govern the joint management of Shatt

(continued on next page)

Iran-Iraq - contd.

al-Arab and the manner of division of its revenues. These, however, have not been honoured by the Iraqi Government to this day and the Imperial Iranian Government's constant efforts to bind the Iraqi Government to honour and carry out its obligations under the treaty have proved fruitless. The Iraqi Government has unilaterally and illegally kept the Shatt management for thirty years and in all this time, has collected alone the considerable shipping revenues of this common frontier river through the Basrah port Authority and has spent it at will and in violation of the treaty provisions on such things as the construction of hotels and airport at Basrah, disregarding the protests of the Imperial Iranian Government, and not even sending a list of these revenues.

In view of the above, as repeatedly declared by the Imperial Government, both in this House and in the Majlis, and as repeatedly notified to the Iraqi Government, since the said Government has violated the major clauses of the 1937 treaty and since the Imperial Government's actions to bind Iraq to honour its obligations have proved futile, on the basis of established international principles, the 1937 frontier treaty is considered null and void and worthless by the Imperial Government.

The honourable Senators are also aware of the principal of *rebus sic stantibus* as grounds for treaties of unlimited duration such as the 1937 treaty. This principal is based on the preposition that an agreement that is based on certain conditions will last only as long as those conditions prevail and therefore once the conditions disappear, they provide an implicit cause for termination of the agreement, giving either side the right to declare the abrogation of the treaty or any part thereof which does not conform with the new conditions. There have been many cases when this accepted international principal has been exercised by governments.

In view of this principle, I should be recalled that the 1937 frontier treaty between Iran and Iraq was concluded at a time when British colonialism was still at its zenith and when it kept Iraq under its full protection with all its might. The treaty was signed under great pressure and restrictions applied against Iran and accordingly, the entire Shatt al-Arab with the exception of two sections was given away to Iraq.

In our contemporary world, there is no parallel situation where a large navigable river as Shatt al-Arab, forming the common border between two countries, is placed exclusively at the disposal of only one side. How can one accept that a frontier river which obtains most of its water from Iran should belong to another state? In the world today, there are definite and recognised international laws concerning common frontier rivers. Now that the era of colonialism is over, and the conditions that prevailed in 1937 under colonial domination have changed, all traces and effects of colonialism should also disappear with it.

Is it not strange for a country to claim that colonialism has ended in it, but at the same time to use all that is in its power to preserve such traces of colonialism, an example of which is this treaty? Again, according to international laws, in each and every treaty one of the basic principles is the principle of equality of

(continued on next page)

(Iran-Iraq - contd.)

h sides to the agreement. The question is whether this principle of equality has been observed in respect of Shatt al-Arab. If it has, how can it not have chosen the median or base line of a large frontier river as the border line according to the accepted rules of international law, and how can it have given all the river with the exception of two sections to Iraq?

A responsible Iraqi official has been reported as saying that Iraq has evidently given to Iran a part of Shatt al-Arab, i.e. the base lines in front of Abadan and Khorramshahr, under the 1937 agreement. This claim is quite baseless and contrary to the truth, because during the entire period when the Ottoman Empire was Iran's neighbour in this part, none of the treaties known as the Erzerum treaty concerning sovereignty and demarcation of frontiers between Iran and the Ottomans has specified the Shatt al-Arab line. According to existing evidence, the course followed in practice by the Iranian and Ottoman Governments from the beginning of navigation in Shatt al-Arab, and perhaps even much earlier, was that sovereignty in the Shatt was jointly exercised up to the point in the river where both banks became Ottoman territory.

I don't wish to comment any further on this, but would briefly repeat to the House again that in view of the reasons already mentioned, the 1937 Iran-Iraq frontier treaty has been violated and is considered by the Imperial Government as worthless and null and void, and that the Imperial Government does not recognise along the entire length of Shatt al-Arab any principle except the established principle of international laws, i.e. the median or base line. Hence, it will use all that is in its power to prevent any violation of its sovereign rights in the Shatt al-Arab and will not allow anyone to violate them.

On 17th April of this year, the Under Secretary of the Iraqi Ministry of Foreign Affairs requested the Ambassador of the Shahanshah Aryamehr in Iraq to call at the Foreign Ministry for a meeting. At this meeting, the Foreign Ministry Under Secretary told the Shahanshah's Ambassador that the Iraqi Government considers Shatt al-Arab as part of its territory and that it requests the Imperial Government to instruct all ships on Shatt al-Arab that fly the Iranian flag, to pull their flags down; and that if there are any members of the Imperial Navy on such ships, they should be removed, otherwise the Iraqi Government authorities will forceably remove the Imperial naval personnel from such ships and in future will not allow ships whose destinations are Iranian ports to enter Shatt al-Arab.

Honourable Senators, This threat of the Iraqi Foreign Ministry's Under Secretary is a threat to Iran's legitimate and natural rights, it is a threat to Iranian sovereignty. How can anyone be allowed to lower the Iranian flag, or to commit an affront against the Imperial Armed Forces? Today, even nuclear powers do not make such threats against weak countries, let alone Iraq. The Imperial Government of Iran, notwithstanding its desire for the preservation and expansion of friendly relations with Iraq, and notwithstanding all the efforts that it made and is still making in this direction, or its good will and readiness for a new treaty with Iraq in this connection declares in this House and in reply to the Iraqi threats, as the Iraqi Government has already been informed, that any violation or

(concluded on next page)

(Iran-Iraq - contd.)

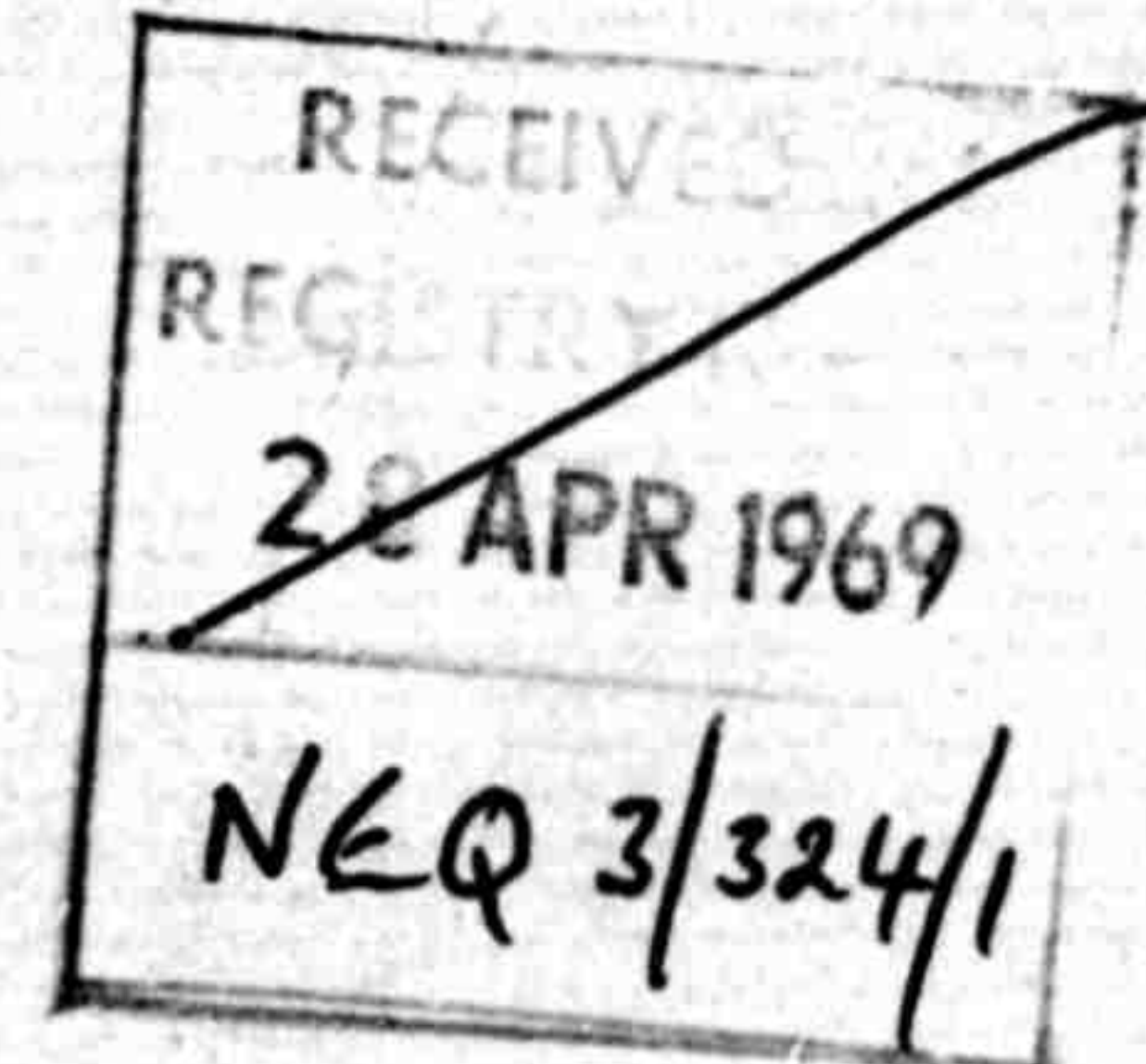
aggression against Iranian sovereign rights in Shatt al-Arab and any attempt to prevent the entry of ships destined for Iranian ports; and any encroachment upon ships flying the Iranian flag or any resort to force in respect of the Imperial Armed Forces will lead to strong reaction and resistance and that the Imperial Armed forces will reply fire with fire, and that the responsibility and the most dangerous consequences that may arise from such a situation will rest entirely with the Iraqi Government.

(Echo of Translation)

N. H. Hinkley 28/4
Sinter (57)

CONFIDENTIAL

Sir Denis Greenhill



Shatt-al-Arab

The Iraqi Ambassador is calling at 3.30 to discuss this subject. In Baghdad we have been asked whether we could use our influence in Tehran towards a reduction of tension.

2. It looks as if the dispute over sovereignty of the Shatt and the question of flags may cause interference with shipping of other nations. We have not yet had time to consult other maritime powers to concert the advice which might be given to shipping companies. We intend to do this quickly. Nor have we fully investigated all the legal implications. In view of this it would probably be best mainly to listen to what the Iraqi Ambassador has to say and to express the hope that this dispute will not get out of hand and will not disrupt shipping up the Shatt. You could say that we will certainly be urging the Iranians not to take provocative action.

Not for
the Iraqi
Ambassador.

3. The Iranians are largely in the wrong. There is no provision for the denunciation of the 1937 Treaty and their claim that Iraqi failure to fulfil some of its provisions does not entitle them to scrap it. Until it is replaced by agreement, we have little alternative but to be bound by its provisions insofar as they affect us.]

4. The Iraqis are in the weaker position and do not have anything like the military strength of the Iranians in the area. As an excuse for not taking action, they are claiming that Iranian activity is part of an Imperialist conspiracy to divert Iraq from the struggle with Israel. For the first time the Iraqi press today implicated Britain in this charge. Should the Ambassador mention this, you might say that you realise that the Iraqis do not want a clash with the Iranians and may require some pretext for avoiding this. It is, however, quite unjustified to link Britain with the present tension.

Nothing special to report. He
talked about the Arab/Israel
situation and the Shatt el Arab

PA PMA

DR 25/4

A.A. Acland

(A.A. Acland)
25 April, 1969.

CONFIDENTIAL

Eastern Dept
F.C.O.



25/4
Hi Hinchcliffe.

Reg

With the compliments of
Chancery

27

Ref our tel no. 342 to FCO 22/4.

BRITISH EMBASSY

TEHRAN

22/4/69

RECEIVED IN REGISTER No. 10 28 APR 1969 NEQ 3/324/1

PA 11/11/11

CONFIDENTIAL

Copy for Neg 3/324/1

RECEIVED IN
20 APR 1969
NEP3/1

Mr. Tripp

Mr. Makin
Mr. Huchette

Apr 28/4

We aware.

28.4.

Iran

I had a long talk with the Iranian Ambassador after dinner on 25 April when:-

- (a) I told him that agrément had been given for Mr. Afshar; he would be receiving official confirmation shortly. Mr. Aram said he would telegraph immediately to Tehran but suggested that there should be no publicity for the time being. He has not yet let his own departure become generally known.
- (b) We had a lengthy discussion about the Shatt al Arab, on the lines of the conversation with Mr. Arthur. Mr. Aram said that Mr. Afshar had gone much further in his denunciation of the 1957 agreement than he had himself when he was Foreign Minister in 1965. On that occasion he had merely announced an intention to denounce. He was sure that the Shah could not now pull back. It was very important to try to work out some agreement and he wanted to see Mr. Roberts in the near future to discuss with him and the officials concerned possible courses of action. He said that the Iranians would accept a court judgement, but that the court proceedings would reveal documentation, embarrassing to the British, which showed the extent of British involvement in the 1957 negotiations.
- (c) Mr. Aram asked if there had been any developments concerning Bahrain and the islands. I said that we were still hoping to make progress on the Bahrain issue and that we thought that if this could be settled the whole situation would be easier. Mr. Aram seemed to agree. He said that he had a plan for Bahrain which he would like to put to us.

2. We must expect that the Ambassador will ask in the fairly near future for an appointment with Mr. Roberts.

A. A. Acland

(A. A. Acland)
Near Eastern Department
26 April, 1969

Copy to:-
Mr. Miers
Mr. Arthur

CONFIDENTIAL

NEQ 3/324/1

SWB 26/4/69

ME/3058/E/1
(A, D)

E. IRANIAN-IRAQI RELATIONS

Iraqi Ba'th Party Statement

Baghdad home service in Arabic 11.25 GMT 24.4.69

Text of Ba'th Party Regional Command statement:

Our great masses, it is not strange that the Iraq of the July revolution is constantly the target of the plots of world imperialism, reaction and Zionism. The 17th July revolution has given new dimensions to the contemporary Arab revolution enabling it to withstand the setback, confront the aggression and reject all the surrender projects which imperialism and Zionism try to impose on the Arab nation. The unjust campaigns against revolutionary Iraq after the crushing of the Israeli-US spy rings, and the present reactionary, imperialist and Zionist pressures are only the beginning of the reactionary-imperialist offensive against our revolution and Party. The policy of threats and pressure will not be the last arrow used by world imperialism and its agents in the region against revolutionary Iraq and the Party. Since 5th June 1967 the revolution and the Party have been regarded by world imperialism as the greatest challenge to the results of the setback and to the plans to liquidate the Arab liberation revolution.

The 17th July revolution was born to manifest and assert the will to reject the setback and what followed it, and to rise above its wounds and negative character. This progressive and popular revolution, with its prowess in confrontation has not only upset the balance for the various enemies of our nation, but has also proved by its practice and revolutionary conduct that it is well aware of the nature of the stage through which our nation is passing and of the requirements for victory. It has proved the unity of national struggle against imperialism, reaction and Zionism throughout our Arab homeland, and demonstrated its ties with the world liberation revolution.

Our proud masses, your great revolution, led by your struggling Socialist Arab Ba'th Party, has made steady efforts to put the strategy of armed struggle into practice and has supported, and contributed to, the escalation of Arab fida'i action on our occupied territory and the mobilisation of all resources for the battle against the Zionist-imperialist presence. It has thereby proved that the setback, which was intended as the defeat of the Arab nation and Arab revolution, only prompted a review of the situation and conditions preceding the setback in order to eliminate the elements of weakness and to overcome the deadly mistakes and gaps of the past. Your revolution has proved to all that the time factor - which world Zionism wanted to use so as to turn the setback into a fait accompli and Arab surrender, while the reactionary and imperialist circles in the region wanted to exploit it in order to weaken the masses and divert their attention from their other national issues - will not necessarily be on the side of their imperialist projects.

Our heroic masses, a general look at the course of your triumphant revolution is enough to expose the motives for the imperialist campaign that is waged - with a ferocity increasing every day - against the revolution. The revolution has firmly and absolutely rejected all the projected surrender solutions which imperialism and Zionism wanted to impose on the Arab nation. Without hesitation it has supported the fida'i action on the battlefield because this action is the nucleus of the Palestine Arab revolution. The revolution has vowed to escalate this action, and has continued its material, moral and military support to strengthen the eastern front in its faith that the Zionist aggression against Palestine and the Arab territories is a threat to the entire Arab national existence. The revolution has also done its national duty throughout the Arab homeland with a full sense of responsibility. It has adopted a policy affirming the Arabism of the Gulf and repudiating the claims of those coveting it. It has declared its progressive character on various international issues. It has stressed support for the struggle of the peoples of Asia, Africa and Latin America.

pm 8/11/69

SWB 26/4/69

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The revolutionary Government has followed an outward looking policy which has yielded fruit in the developed and strong relations with the socialist countries and the peace-loving peoples in complete solidarity against all forms of imperialism. It has pursued the course of national exploitation of Iraq's wealth and natural resources as a means of developing the country's economy free from the domination and trickery of world monopolies.

Imperialism and its agents have realised that they are confronting a genuine, comprehensive, deep-rooted and strong-willed revolution. When imperialism, Zionism and their agents failed to disrupt the revolution from inside, thanks to the people's alertness and support for the revolution, and after the downfall of many counter-revolutionary pillars under the blows of the revolution, they turned to their agents in the region with directions to implement the criminal conspiracy designed to liquidate or weaken the revolution.

This was not new for the revolution. What was new was the tool they used and the speed with which it was exposed. Imperialism in the past used Israel as an instrument of exerting pressure and plotting against the liberated Arab countries, so as to ease the pressure on its agents in the region, for example the Iranian rulers. This time it is using the Iranian rulers to ease the pressure on Israel and to strengthen the imperialist agents in the Arab countries on the pretext of regional claims in the Shatt al-Arab.

Our great masses, the revolution will continue to perform its sacred duty along the lines of confrontation. It will not be lenient towards any suspect attempt to undermine the revolution and its victorious course. It will answer the sinister pressures and threats of aggression against Iraq's regional sovereignty with more thrusts at imperialist and reactionary interests and with firm defiance, retaliation and fierce blows.

The revolution is aware of the price it is paying for its progressive policy. It is determined to pursue the course set for it by its revolutionary national progressive ideology and mission. It derives its historic strength from the support of the revolutionary Arab masses and our heroic people's mobilisation round their revolution of unity, freedom and socialism.

Other Reports on Iranian-Iraqi Relations

Message from Kazimiyah residents to President Bakr (Excerpt from message) We, the masses of Kazimiyah, vehemently condemn the actions of the agent Iranian Government. We firmly denounce that Government's activities in the Arabian Gulf and on the border of our homeland. We support our national Government against these provocations, which have been dictated by CENTO in favour of Israel - the base of imperialism in the Arab homeland. (Baghdad in Arabic 04.00 GMT 24.4.69)

Baghdad 'Ath-Thawrah' on Iranian "provocations" (Text) In a political report today about Iranian provocations, the newspaper 'Ath-Thawrah' says the Iraqi restraint so far cannot be considered weakness or defeatism; it must be regarded as a wise, deliberate attitude. The paper adds: We have always called for understanding and persistent co-operation for the interests of both countries. But if our ranks and our sacred territory are affected, it is a different story. All the people are united to defend the homeland. The paper also says that the Iranian ruling authorities are implementing foreign plans because they consider Iraq to be the (?giant) that endangers their monopolistic interests, which are absorbing the gains and aspirations of the toiling, struggling Iranian people. US imperialism, which wants to tie the Iranian authorities to its chariot, considers it necessary to open another front for Iraq to pave the way for world Zionism to impose surrender solutions on the Arabs. The paper was referring to the presence of Iraqi forces on the eastern front facing Israel. (Iraqi News Agency in Arabic 12.20 GMT 24.4.69)

Iraqi Ambassador's meeting with Abbas Khalatbari (Text) A Foreign Ministry spokesman has stated that the Iraqi Ambassador to Iran met with the Foreign Ministry Under-Secretary Abbas Khalatbari last night. (Tehran in Persian 10.30 GMT 24.4.69)

PRNH

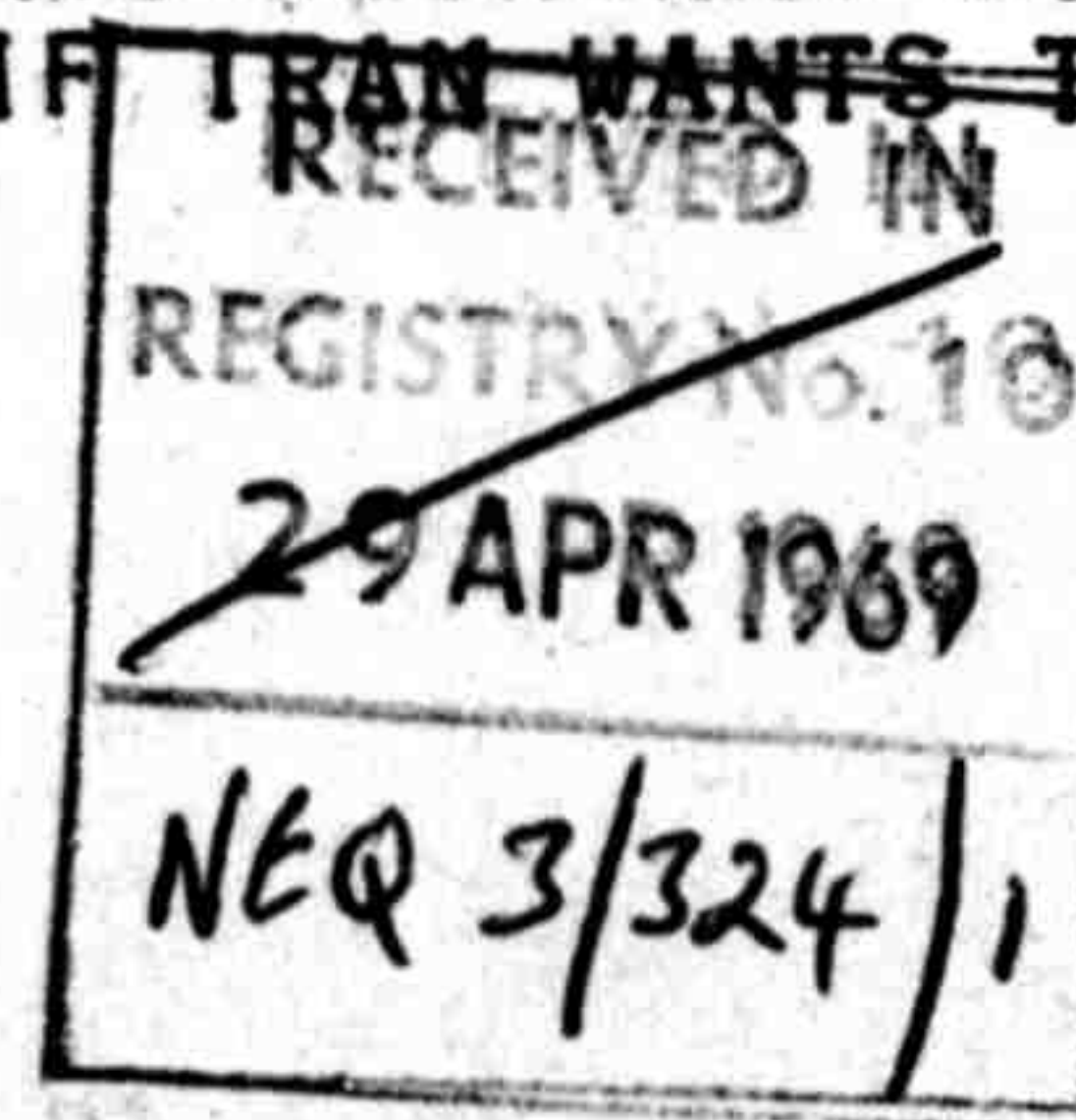
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B61 IRAQ +WILL NOT BE DRAGGED INTO BATTLE WITH IRAN+: INTERIOR MINISTER

NE
(CRNS - BEIRUT) BEIRUT: IRAQI DEPUTY PREMIER AND INTERIOR MINISTER GEN. SALIH MAHDI AMMASH HAS STATED THAT IRAQ +WILL NOT RISE TO IRAN'S CHALLENGES+. HE ADDED THAT THE CHALLENGES ARE INTENDED TO PRESSURE IRAQ INTO WITHDRAWING ITS FORCES FROM SYRIA AND JORDAN. AMMASH WAS SPEAKING AT BEIRUT AIRPORT TODAY, WHILE ON HIS WAY TO POLAND AT THE HEAD OF A DELEGATION INCLUDING ECONOMY MINISTER FAKHRI QADDURI AND OIL AND MINISTERS MINISTER RASHID AL-RIFAI.

GENERAL AMMASH SAID: +IRAN MAY WANT TO CONTINUE ITS PROVOCATIONS AND CHALLENGES, BUT WE WILL NOT RECIPROCATE, AND WE WILL NOT BE DRAGGED INTO A BATTLE WITH IRAN. WE WILL NOT WITHDRAW OUR FORCES FROM JORDAN AND SYRIA+. HE ADDED: +EVEN IF IRAN WANTS TO OCCUPY BASRAH - LET IT+.

MF BBC MON 22/4 EM



M. Mahdawi
PRNH
24/4.

B61 MINISTER 2: MASSING OF FORCES DENIED

AMMASH CONTINUED:

IRAQ HAS NEVER SERIOUSLY DIFFERED WITH IRAN OVER THE SHATT AL-ARAB IT IS IRAQI TERRITORY. THE DIFFERENCE SHOULD HAVE BEEN OVER ARABISTAN, WHICH IS IRAQI TERRITORY ANNEXED TO IRAN DURING THE FOREIGN MANDATE AND WHICH IS CALLED AHVAZ AGAINST THE WILL OF THE IRAQI PEOPLE+.

AMMASH DENIED THAT IRAQ HAS MASSED MILITARY FORCES ON THE IRANIAN BORDER. CONCLUDING THE STATEMENT, GENERAL AMMASH REAFFIRMED THAT IRAQ +DOES NOT WANT TO HAVE NEW DIFFERENCES AND OPEN A NEW FRONT, BECAUSE IT IS CONCENTRATING ALL ITS EFFORTS ON THE PALESTINE ISSUE+.

AMMASH DID NOT MEET LEBANESE OFFICIALS.

END BBC MON (KY) 22/4 EM 2225

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RECEIVED IN
REGISTRY No. 10
29 APR 1969
NEQ 3/324/1

SH: ATTENTION ALSO H. ARABIC S. AND PERSIAN P.O.

B74 IRAN-IRAQ DISPUTE: MOSCOW RADIO ATTACKS BBC

MOSCOW RADIO'S PERSIAN-LANGUAGE SERVICE SAID IN A COMMENTARY TODAY THAT THE IRAN-IRAQ BORDER DISPUTE WAS NOT IN THE INTEREST OF EITHER COUNTRY. IT WAS ALREADY CLEAR, THE RADIO SAID, THAT THE IMPERIALIST POWERS SOUGHT TO MAKE USE OF SUCH DISPUTES TO FURTHER THEIR OWN ENDS.

+MOST SIGNIFICANT OF ALL IN THIS CONNECTION IS THE ACTIVITY OF WESTERN PROPAGANDA WHICH IS ATTEMPTING TO MAKE USE OF THE REPORTED BORDER DISPUTE TO JUSTIFY THE NEED FOR PROLONGING THE STAY OF BRITISH FORCES IN THE PERSIAN GULF AREA. FOR INSTANCE, THE BBC, IN ITS COMMENTARIES ON THE IRAN-IRAQ BORDER DISPUTES, ATTEMPTS TO PERSUADE THE LISTENER THAT THE WITHDRAWAL OF BRITISH FORCES FROM THE PERSIAN GULF IN 1971 WILL CREATE AN UNCERTAIN SITUATION IN THIS AREA AND RESULT IN DISORDER AND CONFLICT...

MF BBC MON 2146 HTM

B74 DISPUTE 2: PEACEFUL SETTLEMENT NECESSARY

+IT IS AXIOMATIC THAT THE INTERESTS OF THE ANTI-IMPERIALIST STRUGGLE AND THE NATIONAL INTERESTS OF EVERY COUNTRY IN THE NEAR AND MIDDLE EAST DEMAND THE SOLUTION OF THE IRAN-IRAQ BORDER DISPUTES AND ALL DIFFERENCES BETWEEN GOVERNMENTS BY PEACEFUL MEANS.+

END BBC MON 2148 22/4 HTM UPJ

28/4
Mr. Mahfouz

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p.a.

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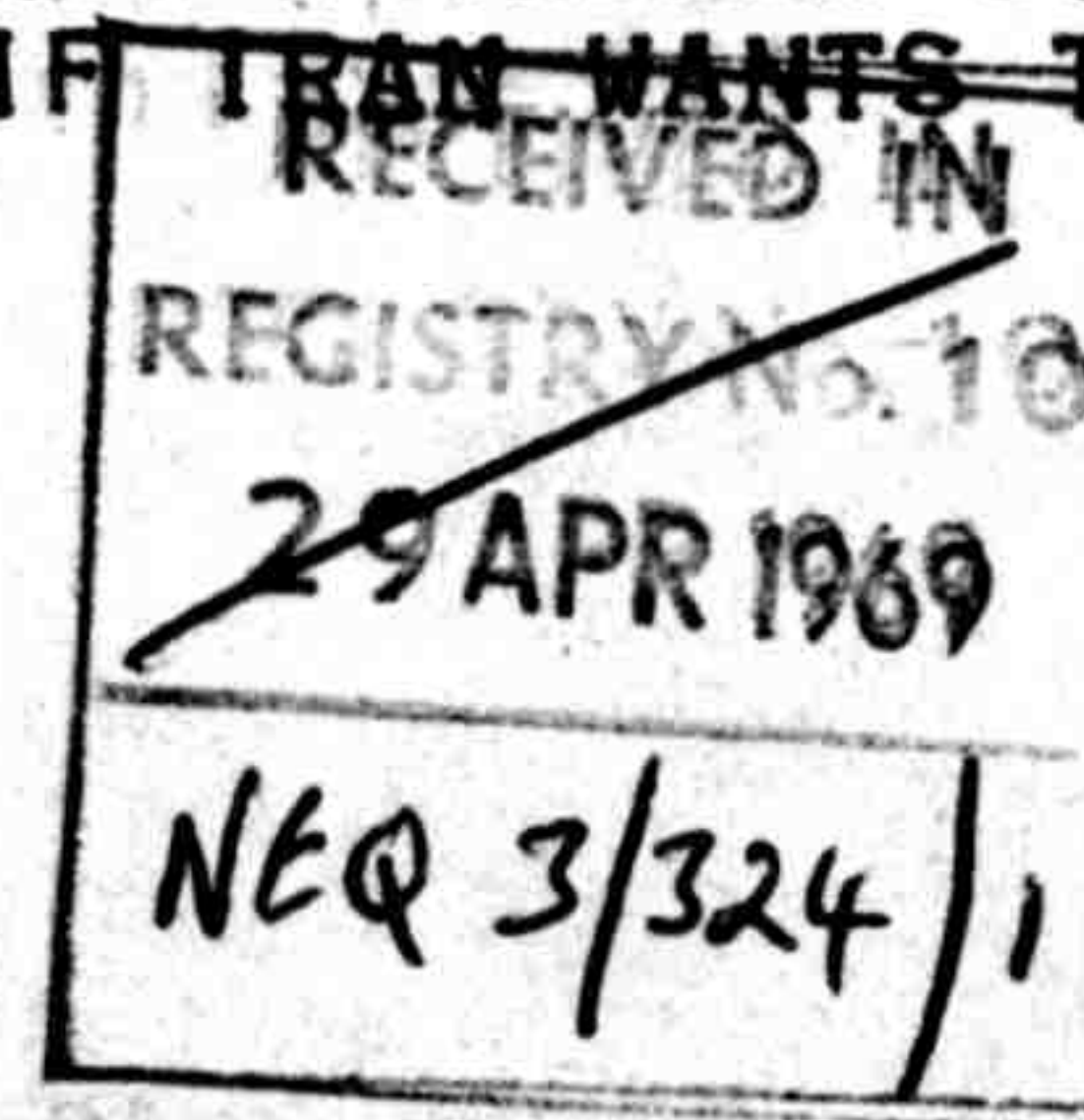
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B61 IRAQ +WILL NOT BE DRAGGED INTO BATTLE WITH IRAN+: INTERIOR MINISTER

NE
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MF BBC MON 22/4 EM



M. Mahdawi
PRMH
24/4.

B61 MINISTER 2: MASSING OF FORCES DENIED

AMMASH CONTINUED:

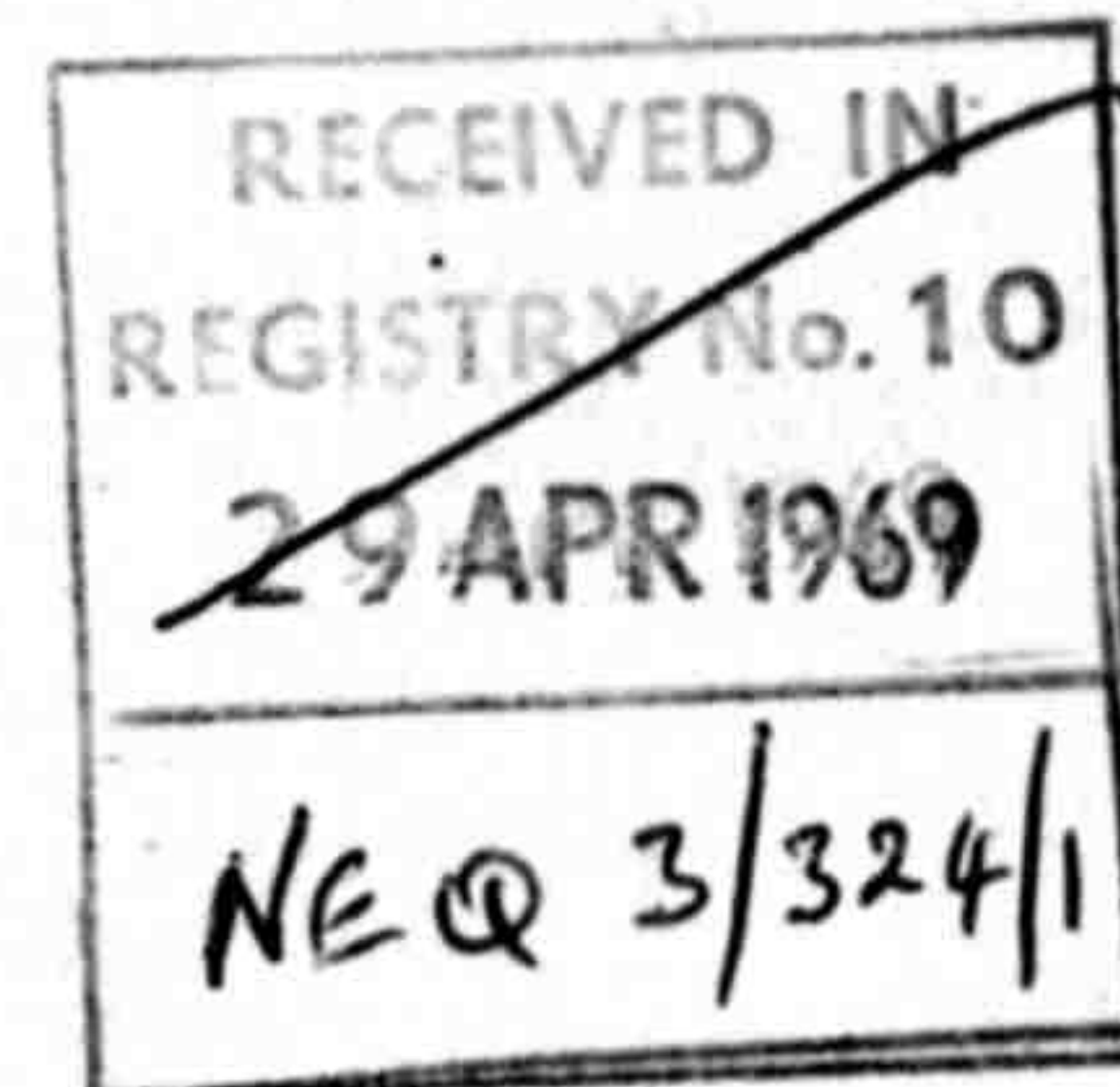
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AMMASH DID NOT MEET LEBANESE OFFICIALS.

END BBC MON (KY) 22/4 EM 2225

leg
Lu



Mr. Arthur

Military Information on Iraq for the Iranians

attached —

Tehran telegram number 358 reports a request to the Air Attaché from Iranian Air Force Headquarters for information on Iraqi radar coverage.

2. You will remember that there was also a request recently on other channels for information concerning Habbaniya air-field. You agreed that, provided this information could be passed in a wholly unattributable form, there would be no objection.

3. While the tension between Iraq and Iran continues, it is likely that we will get an increasing number of requests of this kind from the Iranians. I think, therefore, that the whole question of principle should be carefully considered. If we agree in one case, it will be difficult not to be consistent when faced with other requests. The more information which is passed over, the greater the risk of a leak. I have, therefore, checked that no action is being taken on the earlier request relating to Habbaniya.

4. As against the risk of a leak (and it would be very damaging indeed to our relations with the Arabs if there were suggestions that we had been passing important information to the Iranians) we have to weigh the importance of our liaison with the Iranians and the importance of the facilities with which they provide us. We shall also need to consider how unattributable the information could be made and how great the risk of our action becoming known. Is it possible, for example, that the UAR have penetrated the Iranian intelligence services at a high level?

5. A number of ministries are involved in a matter of this kind. You said that, in the first instance, you would have a word with Sir E. Peck on the best way of handling the matter.

A. A. Acland

(A. A. Acland)
Near Eastern Department
26 April, 1969

Copy to:-

Mr. Ewart Biggs (PUSD)
Mr. Tripp (NED)
Mr. Makinson (NED)
Mr. Hinchcliffe (NED)

Discussed & agreed in principle.

M. Hinchcliffe

29/4/69

A. Acland

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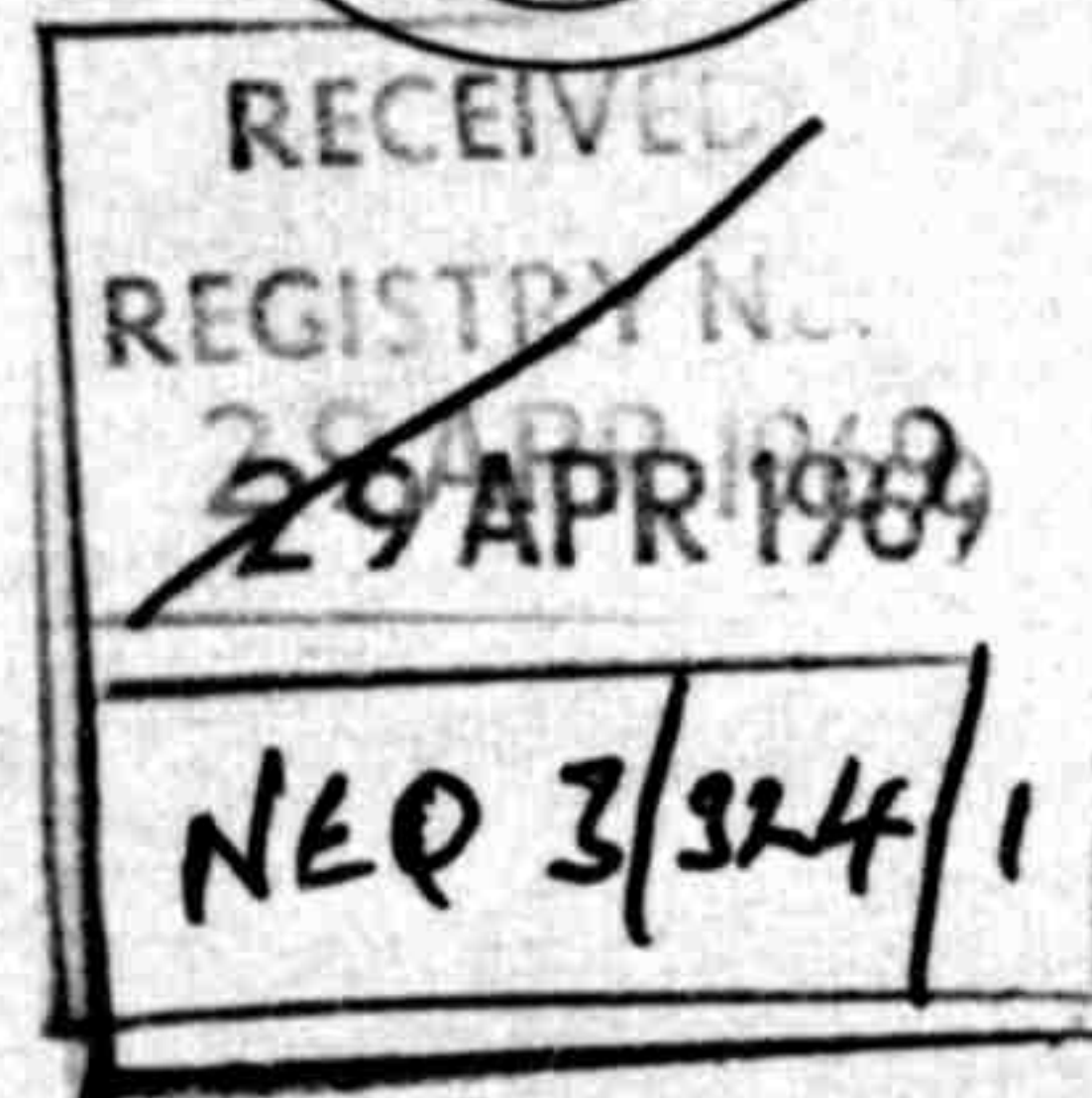


BRITISH EMBASSY

TEHRAN

(3/40)

24 April, 1969.



Dear Donald,

John
in Hunches *PLMNA 28/4.*
in Acl *28*
Reg
Pa

Irano/Iraqi Relations (28)

Please refer to our telegram No. 341 of 20 April reporting the Deputy Foreign Minister's statement in the Senate on 19 April on Irano/Iraqi relations. Copies of Afshar's statement were sent to you and Baghdad by non-Confidential bag on 22 April.

2. We were, of course, aware that Irano/Iraqi relations had been deteriorating for some time following the breakdown of the talks between the two Governments during Khalatbari's visit to Baghdad in February and we reported on 29 March that the Iranians had moved troops into the Khorramshahr/Abadan area. I do not know what prompted the Iranians to come into the open at this stage. Possibly, it was their discovery that the Iraqis had given Bakhtiar a diplomatic passport or possibly it was Takriti's visit to the Gulf. But whatever it was, it is clear that they were well prepared and Afshar's statement bore every sign of having been carefully considered, and we have been told that he had cleared his lines with the Shah before H.I.M.'s departure for Tunisia.

3. While the evidence available might suggest that it was the Iraqis who took the first step in precipitating the present crisis, the Iranians have for some time been bringing pressure on the Iraqis to negotiate on the Shatt, and it is our impression that they, for example, built up local incidents such as the shooting of a fisherman on 6 March and the arrest of some others on 23 March with this intention in view, and that in fact the stimulus which led to the present crisis was Iranian rather than Iraqi. The reported doubling of pilotage dues on 3 April and the subsequent threat to use force against Iranian ships flying their own flag were ostensibly, however, the first steps, though why the Iraqis should have chosen to take them when they are so clearly pre-occupied elsewhere I do not quite understand.

4. Following Afshar's statement, as you will have seen from Baghdad telegram No. 378, the Iraqis issued a statement on 20 April declaring Iran's unilateral abrogation of the Treaty illegal. On 21 April the Shah returned from Tunisia and on the following day the 1,500 ton Iranian freighter "Ibn Sina" left Khorramshahr and sailed down the Shatt under the Iranian flag

D. J. Makinson, Esq.,
Near Eastern Department,
F.C.O.



and with an escort of Iranian naval vessels. The Iraqis did not attempt to interfere with the ship's movements. On the same day, the Managing Director of the Arya Shipping Co. announced that his ships would continue to sail to Khorramshahr and Abadan but that they would no longer accept any Iraqi officials on board and would use Iranian pilots. He added that as long as the present crisis continued the ships would be given a naval escort and that they would refuse to pay Iraqi dues.

5. It was reported in the press that the Iranians intended to arrange for the larger, 12,000 ton "Arya Far" to sail from Khorramshahr on 23 April but the vessel's departure was delayed, according to the press, because of "technical difficulties". The Consul in Khorramshahr heard, however, that the vessel's German captain refused to put to sea without a licenced pilot but was likely to be forced to take an Iranian naval officer on board to pilot the vessel down the river. At the time of drafting, the "Arya Far" is, however, as far as we know, still at Khorramshahr.

6. The position with regard to ships belonging to third countries is not yet clear. It appears that in view of the difficulty over pilots (our telegram No. 333), the Iranians will have no alternative but to accept Iraqi pilots, and therefore Iraqi flags, although, (our telegram No. 355) there are indications that the Iranians will try to insist on ships' flying the Iranian flag even if they have an Iraqi pilot. Meanwhile, all foreign ships have been diverted from Khorramshahr and Abadan to Bandar Shahpur or Bandar Abbas, ostensibly because it is not possible to unload cargo at Khorramshahr or Abadan due to the floods. There are already reports of congestion at Bandar Shahpur, however. On the other hand, we understand that several foreign ships have sailed from Khorramshahr during the past few days with Iraqi pilots on board and flying the Iraqi flag.

7. The latest information we have on military dispositions is given in the Defence Attache's telegram No. FOH 404 of today's date to the Ministry of Defence. Meanwhile, there are reports here that diplomatic contacts, which had been suspended for some days, have now resumed and there are rumours that the Turks and the Saudis have both, independently, offered to mediate.

Yours ever,

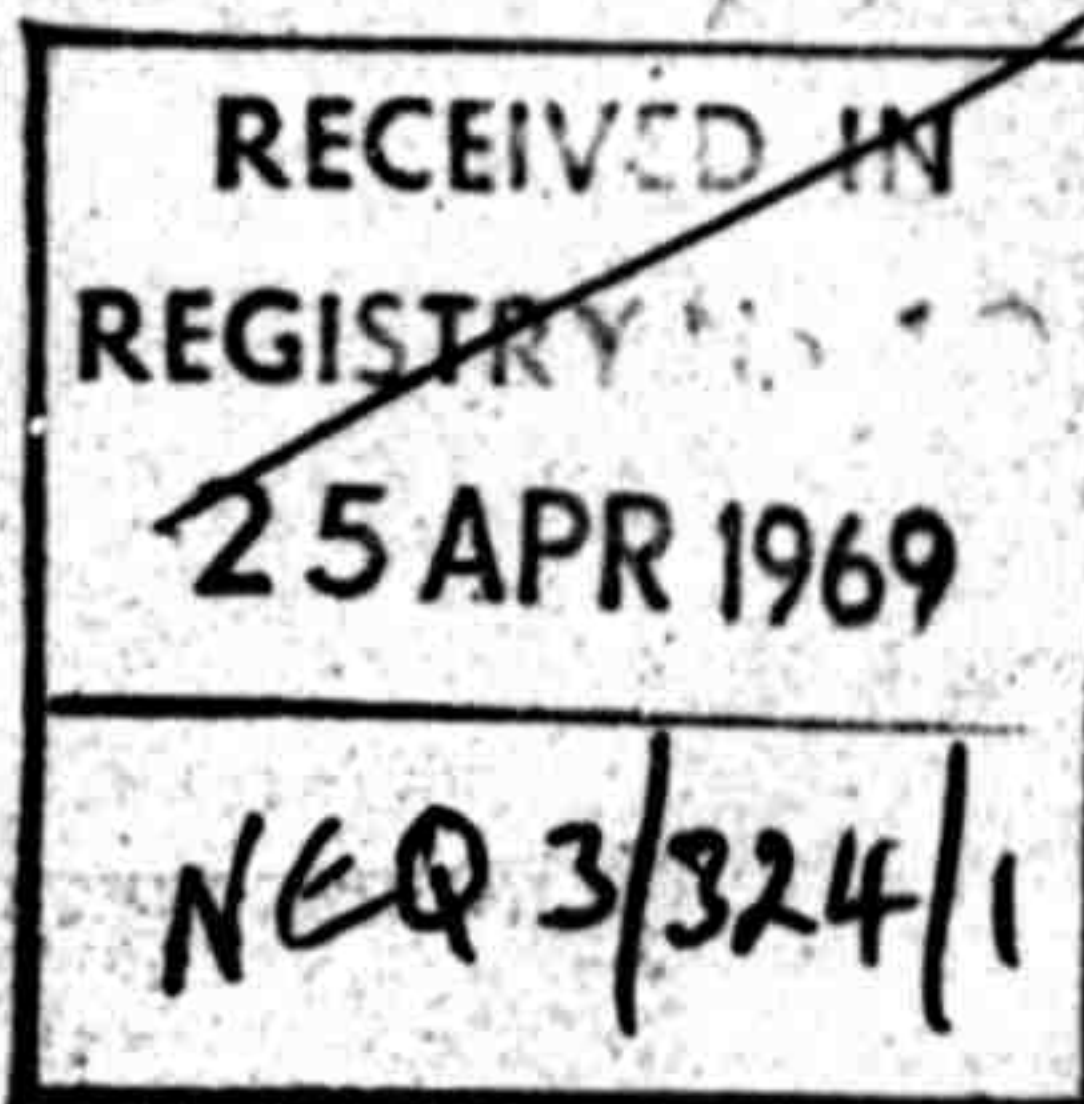
Michael.

(M.C.S. Weston)

cc: A.E. Saunder, Esq., Baghdad.
D.E.S. Blatherwick, Esq., Kuwait.
M.S. Weir, Esq., Bahrain Residency.

*1 the
Jordanians
7/11/48
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Cutting dated ... 23 APR 1969 ... 19



Faisal seeks to intercede between Iraq and Iran

BY OUR MIDDLE EAST CORRESPONDENT

KING FAISAL of Saudi Arabi has offered his mediation in the current Iraqi-Iranian crisis.

He has sent Omar Saqqaf, State Minister for Foreign Affairs, to Teheran to meet with the Shah. Saqqaf, who is in Beirut on a private visit, yesterday received the King's instructions to go to Iran in an effort to bring about an amicable settlement of the conflict between Iraq and Iran over navigation in the Shatt-al-Arab estuary at the top of the Gulf.

Saudi Arabia, through its State-controlled Press and radio, has shown a profound concern over the deterioration in the situation between Iraq and Iran. Saudi newspapers appealed to Muslim States to use their good offices to end the crisis and urged Teheran not to divert the attention of any Arab country away from the confrontation with Israel.

Informed sources here say that King Faisal, who is still furthering his Islamic solidarity bid does not want to see Iraq and Iran in serious conflict lest Saudi Arabia



King Faisal

should be forced to take a stand and also so that Iraq may devote all its energies to the Arab battle with Israel.

BEIRUT, April 22.

Iraq yesterday sent a formal note to the Persian Government protesting against the military measures taken by Iran near the Iraqi border and emphasising again that Baghdad still considered the 1937 border agreement between the two countries was still in effect. Iran had announced that it considered the agreement was no longer valid.

U.S. accused

Observers here recall that Persia in December, 1965, during a similar crisis with Iraq abrogated the same agreement, but went back to it after the crisis was settled.

Meanwhile, psychological warfare between the two countries is continuing. The State-controlled Press in Baghdad said that the U.S. had turned Iran into a "gunpowder dump which threatens millions of Persians and countries in the area."

Mr. Mahdavi 24/4
Mr. A. 28/4
Hon. Mr.

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(64)

The Shatt-al-Arab Dispute 1964-69

The visit to Iran of the Iraqi Foreign Minister at the beginning of 1964 augured well for relations between the two countries but clumsy intrigue between the Iranian Ambassador in Baghdad and the Shi'ite opposition and Iraqi announcements, albeit unofficial, of support for the Arab Liberation Movement in Khuzestan impeded progress towards a friendly settlement of the dispute. The Shah tried to force a showdown at the beginning of 1966 after Iraqi forces had violated Iranian territory, ostensibly in pursuit of Kurdish insurgents, but more probably as a warning to the Iranians to terminate their support for the rebels. He thought that a show of strength in the frontier region would force the Iraqis to re-negotiate the 1937 treaty which was duly declared "null and void" on the grounds of the continued Iraqi refusal to conclude an agreement of joint administration of the Shatt and the appropriation of the dues collected for purposes other than those specified in the Treaty. The Shah was advised by HMG that this provocation could only encourage the pro-Nasser elements in Iraq and that the Iraqi régime was in any case too weak to re-negotiate the treaty. He subsequently agreed to meet the Iraqi demand that Iranian forces be withdrawn from the frontier and the crisis subsided without either side having to take a position on the Pakistani offer of mediation.

2. In March 1966 it was announced that delegates from both sides would meet to settle the differences outstanding between the two countries, and an agenda was drawn up for the visit to Baghdad of the Iranian Foreign Minister in December

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1966, providing for the resumption of talks on ways and means of utilising the waters of rivers on the common border in accordance with the provisions of international law and the settlement of differences related to frontiers on the common border. This formula was repeated during the visit of the Iraqi President to Tehran in February 1967 and again during the visit to Tehran of an Iraqi ministerial delegation in June 1968 which announced the establishment of joint commissions to study both matters.

3. The Shah has more than once indicated to the Iraqis that he would break off supplies to the Kurds in return for concessions in the Shatt, but the Iraqis are not prepared to cede sovereignty either as a quid pro quo or in response to the Iranian version of international law. In their turn the Iraqis consider the recent Iranian denunciation of the 1937 Treaty to be inconsistent with international law and claim that they have fulfilled their obligations under the Treaty by submitting to the Iranians in the course of the negotiations which took place in Baghdad in February of this year draft agreements for the regulation of navigation in the Shatt-al-Arab, an Iraqi river.

Middle East Section,
Research Department.
28 April, 1969.

RESTRICTED

W. (64)

Mr. A. Paul
Middle East Section,
Research Department.

RECEIVED IN REGISTRY No 100 7 MAY 1969 NEQ 3/324/1

The Shatt al Arab Dispute between Iran and Iraq

As you know, it looks as if this problem may blow up again within the next days and weeks. As a result there has been a considerable demand for Research Department Memorandum LR 6/5 of 27 February 1964. Mr. Arthur, Mr. Burrows (Legal Counsellor), Miss Collings (News Department), Mr. Hinchcliffe and I now all have copies. It is an excellent and clear Memorandum and is extremely helpful for giving the background to the dispute.

2. I wonder if your section could, without too much trouble, bring the story up to date from 1963 onwards. It would be very helpful if this could be done quickly in the first instance on the basis of papers already available to you. Possibly thereafter at more leisure whatever is produced could be checked against documents held by the ~~Research~~ ^{Library} Department.

AAAcland
(A. A. Acland)
Near Eastern Department
22 April, 1969.

Copy to: Mr. Hinchcliffe

Mr. Acland.

I attach herewith 12 copies of a short note on the Shatt al Arab dispute on the lines suggested in your Paragraph 2 above, which I hope will ~~meet~~ your requirements. Meanwhile, a more comprehensive study is being put in hand.

A. Paul
A. Paul.
Middle East Section,
Research Department.

28 April, 1969.

Thank you very much. This is most helpful.

cd. Mr. Hinchcliffe kindly distribute copies to those who need to see.

RESTRICTED

leg. & ra
with

W. P. M. A.
or

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P R M
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REGISTRY No. 10
30 APR 1969
NEQ
3/324/1

B76 TURKEY CALLS FOR EARLY SETTLEMENT OF IRAQI-IRANIAN DISPUTE

CANKARA RADIO) ANKARA: TURKISH FOREIGN MINISTRY SPOKESMAN OKTAY
ISCEN HAS ANSWERED QUESTIONS ON THE DISPUTE BETWEEN IRAN AND
IRAQ. ACCORDING TO THE ANATOLIA AGENCY, ISCEN SAID THAT TURKEY
HOPES TO SEE AN EARLY SETTLEMENT OF THE DISPUTE.

Mr Muller
Mr ADAM

PRM

HE STATED: IT IS OUR SINCERE DESIRE THAT THIS DISPUTE
BETWEEN IRAN, OUR FRIEND AND ALLY, AND IRAQ, OUR NEIGHBOUR
WITH WHOM WE HAVE CLOSE RELATIONS, BE SETTLED IN AN
ATMOSPHERE OF RECIPROCAL GOODWILL AND BEFORE IT ASSUMES
GREATER PROPORTIONS.

END BBC MON 2156 22/4 HTM (KY)

Alex

24/4
then reg & p.a.

66

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NEQ 3/324/1

By Bag

SAVING TELEGRAM

FROM PARIS TO FOREIGN AND COMMONWEALTH OFFICE

RECEIVED IN

30 APR 1969

NEP 3/312/1

Mr. Soames

No. 24 Saving

28 April, 1969

Addressed to Foreign and Commonwealth Office telegram No. 24
Saving of 28 April, repeated for information Saving to:

Tehran and Baghdad

Iranian Prime Minister's Visit to Paris.

Mr. Hoveida paid a private visit to Paris from 24 - 28 April.
On 25 April he was present at the opening by Queen Farah of the
"Maison de l'Iran", in the Champs-Élysées.

2. On the same day Mr. Hoveida called on M. Couve de Murville.
According to A.F.P., they discussed the international situation
with particular reference to the Middle East. After the meeting
Mr. Hoveida told the press that Iran considered the Security
Council resolution should be implemented.

3. He said he hoped that Iran and Iraq could settle the Shatt-
al-arab issue between themselves. Iran maintained that the river,
which was the dividing line between the two countries, should
belong to them both and not exclusively to Iraq. From the inter-
national point of view the waters of the river should be treated
in the same way as those of, for example, the Rhine. The 1937
Treaty had been signed when the British had a mandate over Iraq,
that is to say at the time when colonialism was installed there.
Now that the latter had disappeared, its after-effects should
disappear too. Iran considered that the river belonged to the
two riparian countries and that the median line should be the
frontier, thus assuring freedom of entry and exit in the Persian
Gulf.

4. As regards Franco/Iranian relations, he said these had always
been good and there were no problems. He hoped their relations
would develop in the economic field, including petroleum. French
enterprises were interested in the plan to build an underground
railway in Tehran.

5. Mr. Hoveida was leaving on 28 April for an official visit
to Bonn.

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R.P.O.

29/4 (68)

Mr. M. L. ...
Rep. ...

Iran and Iraq

Whose gunboats?

Iran has a true grievance over the navigation in the Shatt al-Arab. But this is largely beside the point. The old dispute about the river tends to get rolled out from time to time (the last two occasions were in 1961 and 1965) not so much to get it settled as to give the Iranians, or the Iraqis, a chance to flex their muscles.

On April 19th the Iranian government announced that it regarded the 1937 treaty which fixed the southern frontier of Iran and Iraq as null and void (in 1961 the Iranians only threatened to abrogate the treaty). The treaty confirmed the frontier as being the low water line on the eastern side of the Shatt (thus giving the Iraqis control of the waterway) but marked short stretches at Abadan and Khorramshahr where the frontier is in mid-channel. It also laid down that the two countries should later conclude an agreement on all matters concerning navigation. But this has never been done, and in default of an agreement the Iraqis have been running things their way. The Iranians now claim that Iraq has failed to honour its commitments, and in particular has been pocketing all navigation tolls. For good measure, they also charge Iraq with aggression against Iranian fishermen and harsh treatment of Iranian nationals in Iraq.

The Iraqi government retorted with predictable anger that it considered the treaty to be still binding and the waterway to be its sovereign territory. The Iranians, behaving as if an attack from Iraq was imminent, concentrated troops on the frontier and sandbagged buildings in Teheran, Abadan and Khorramshahr.



On April 21st the shah returned from a state visit to Tunisia; the next day an Iranian freighter, escorted by navy and air force, defied Iraqi warnings by sailing out of Khorramshahr. It was unmoored.

The shah chose his time. The Iraqi regime has too much on its hands already to welcome a military showdown with Iran. It has 12,000 troops in Jordan and 6,000 in Syria. It has a division in the north engaged in the everlasting battle with the Kurds. And it is unloved by many of its own military men.

King Faisal of Saudi Arabia, offering to mediate, has sent his foreign minister to Teheran. This is the second time the king has involved himself with the Shatt; he helped to sort out the quarrel in December 1965. But Iraq's prime minister then was Dr Bazzaz, who was only too anxious to end his country's unnecessary troubles. Dr Bazzaz is now in prison, and the men who imprisoned him have different priorities (though they, like Dr Bazzaz and the shah too, have recently been making efforts to improve their relations with the Saudi monarch).

Saudi Arabia's intervention has direct relevance. It is not the tolls on the Shatt that have set Teheran up in arms; it is the question, imprinted on the shah's heart, of future influence in the Persian Gulf. Both Iran and Iraq have claims up their sleeves: Iran on Bahrain; Iraq on Kuwait. Both claims are tucked away for the present; both could be conjured back if the circumstances seemed ripe. The shah's deep distrust of Iraqi intentions has been intensified by the recent tour of gulf states by a high-powered Iraqi delegation, led by the minister of defence.

The Iraqi tour coincided with Mr Heath's trip to the gulf, and for a time it seemed as if Iraq's and Iran's common denunciation of the Conservative leader's announced intention to reverse Labour policy and keep a British military presence in the gulf, if wanted, would take the edge off their own mistrust of each other. In an interview with the Indian magazine *Blitz*, the shah is reported to have said firmly that "nobody will want British troops back in the Persian Gulf." But, as it turned out, Mr Heath was not a sufficient diversion to keep the shah's thoughts away from those Iraqi generals. In the *Blitz* interview the shah commented: "The era of gunboat diplomacy to suppress national upsurges is over and done with. Look at the Anguilla fiasco." Fine. But isn't the shah indulging in another variety of gunboat diplomacy himself?

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30 APR 1969

NEQ 3/324/1

Letters to the Editor

STORM IN THE GULF: DISPUTE BETWEEN IRAN AND IRAQ

From the Ambassador of the Republic of Iraq

Sir,—In your editorial of April 21, 1969, on the "Storm in the Gulf" you referred briefly to the positions of the Iraqi and Iranian Governments on the question of Shatt-El-Arab after the unilateral abrogation by the Iranian Government of the treaty of 1937.

You mentioned that the Iranian Government justified its action on the grounds that, "Iraq has violated its provisions (the treaty's) and committed acts of aggression".

Your readers are entitled to know what violation and whose aggression. Indeed, a unilateral denunciation by Iran of a duly signed and constitutionally ratified treaty which has been in force for 32 years, is a most violent kind of violation of international contractual agreements.

The 1937 treaty between Iraq and Iran was preceded by two other international agreements which, together with this treaty, determined the boundaries between the two neighbouring countries. These are the Erzurum treaty of 1847 between the Ottoman Empire and Iran and the protocol of Constantinople which was signed by the representatives of the Ottoman Empire, Iran, Great Britain and Russia. A commission composed of the representatives of the four powers was set up for the final delineation of the boundaries between the two countries which was completed in 1914. The details of the demarcation of boundaries were set down in the commission proceedings of 1914. Article 5 of the protocol states that "as soon as part of the frontier has been delineated it shall be considered as finally fixed and shall not be liable to any subsequent examination or amendment". This of course means that neither Iraq nor Iran can unilaterally claim, let alone impose, a revision of the boundaries.

As to this other Iranian claim of Iraqi aggression against Iran; how can one corroborate this wild charge with the fact that only a few weeks ago an Iranian delegation headed by the Under-Secretary of the Foreign Office was in Baghdad for nego-

tiations which resulted in agreements in different fields of mutual interests between the two countries. How is it that at this crucial phase of Arab struggle against Israeli aggression and Zionist expansion that the Government of Iran chose to abrogate the treaty of 1937, thus substituting gunboat policies for the peaceful and friendly talks and negotiations which have been going on for years now.

You referred in your editorial to the "assumed rights—over oil, territorial waters, navigation and so on—going by default later if they are not insisted upon now". I cannot see how rights can be unilaterally or illegally "assumed" by one party to a treaty, and in this case the treaty of 1937, when all rights are clearly and legally stipulated therein. Clearly this is not a case of default, but rather of a grave fault by the Iranian Government since, according to the above-mentioned international agreements Shatt-El-Arab is a national river flowing in Iraqi territory.

I am at a loss to understand your conclusion. After saying that "this quarrel stands in contrast to the successful efforts Iran has been making to get on better terms with other Arab neighbours like Saudi Arabia", you said that "the Iraqi Government should heed this model". Against the background which I have set above and even on the basis of the information contained in your own article, one wonders if you had not addressed the wrong party.

Finally, may I seize this opportunity to state that Iraq has resolved to settle its differences with Iran by peaceful means in accordance with the provisions of the United Nations charter, the principles of international law and on the basis of the 1937 treaty which is binding on both countries. It will also endeavour to maintain and strengthen its relations with Iran and its people with whom the Iraqi people have so much in common.

Yours faithfully,

KADHIM M. KHALAF, Ambassador
of the Republic of Iraq.

Embassy of the Republic of Iraq, 21
Queen's Gate, S.W.7, April 25.

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30 APR 1969
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PR. Mr. M.M.
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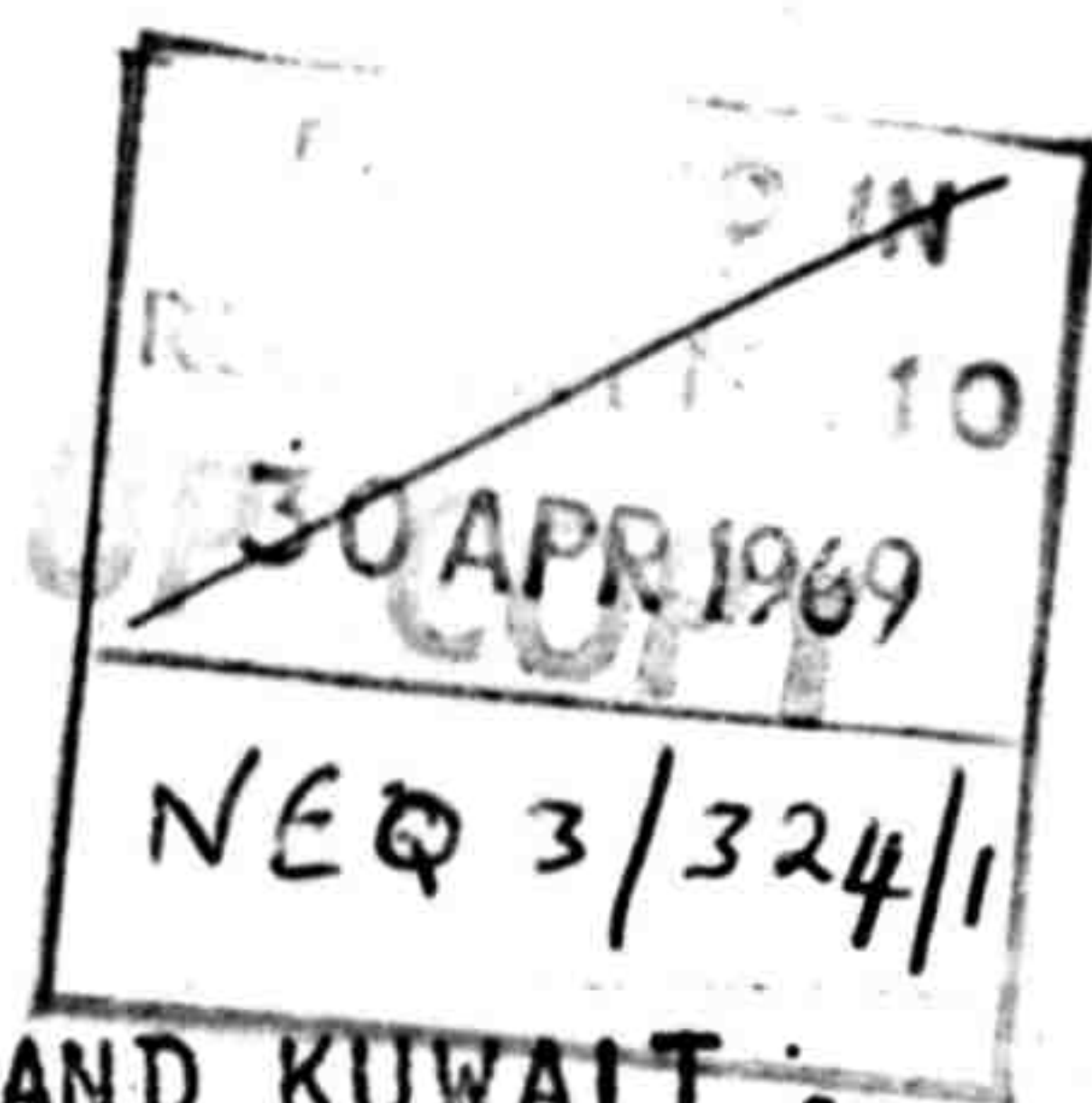
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EN CLAIR

BAGHDAD TO FOREIGN AND COMMONWEALTH OFFICE

TEL NO. 410
UNCLASSIFIED

29 APRIL 1969



54 RPTD FOR INFO TO TEHRAN BAHRAIN RESIDENCY AND KUWAIT.

MY TEL NO399 . IRAQ IRAN RELATIONS . THE MINISTRY OF FOREIGN AFFAIRS HAS CIRCULATED TO DIPLOMATIC MISSIONS THE TEXT OF A NOTE ADDRESSED TO THE IRANIAN EMBASSY IN BAGHDAD PROTESTING AGAINST TWO VIOLATIONS ON IRAQI TERRITORIAL WATERS IN THE SHATT AL ARAB BY IRANIAN VESSELS ON 22 AND 25 APRIL . THE VESSELS IBN SINA AND ARYAFAR ARE SAID TO HAVE BEEN STEAMING TOWARDS THE SEA FROM ABADAN AND KHORAMSHAH RESPECTIVELY . BOTH HAD A NAVAL ESCORT AND THE SECOND WAS ALSO ESCORTED BY TWO FIGHTERS AND A HELICOPTER . BOTH FLEW THE IRANIAN FLAG BUT NO IRAQI FLAG . IN BOTH CASES THE IRAQI AUTHORITIES DEMANDED THAT THE VESSEL SHOULD STOP , RAISE THE IRAQI FLAG AND TAKE AN IRAQI PILOT ON BOARD . THE SHIPS MASTERS ARE SAID TO HAVE REFUSED .

2. THE NOTE STATES THAT THESE ACTIONS GRAVELY THREATEN THE SAFETY OF NAVIGATION IN THE SHATT AL ARAB AND CONSTITUTE OPEN INTERFERENCE WITH ADMINISTRATIVE ARRANGEMENTS WITHIN THE COMPETENCE OF THE IRAQI AUTHORITIES . THE NOTE ALSO PROTESTS THAT THE ACTION OF THE NAVAL AND AIR ESCORTING FORCES WERE IN BREACH OF ARTICLE 2 PARAGRAPH 4 OF THE UN CHARTER (ON THE THREAT AND USE OF FORCE) , AND A VIOLATION OF INTERNATIONAL LAW IN THAT THEY CONSTITUTE INTERFERENCE IN ANOTHER STATES FIELD OF COMPETENCE , OBSTRUCTION OF ANOTHER STATE AND AN EXECUTIVE ACTION IN THE TERRITORY OF ANOTHER STATE . THE NOTE DEMANDS THAT SUCH ACTION CEASE IMMEDIATELY .

MR. EVANS

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NEQ 3/324/1

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(A, D)

E. IRANIAN-IRAQI RELATIONS

Iranian Reports

Foreign Ministry communique on Iranian offer (Excerpts) The Foreign Ministry has given this communique to the Pars News Agency: ... As has been officially announced, in keeping with the Shah's teachings and peaceful intentions, the Imperial Government is willing to talk and sign an agreement with the Iraqi Government, even on the individual level on the demarcation of the Arvand Rud on the Thalweg [centre of the navigable channel] basis. This basis has already been recognised by international law. The Iranian Government is also prepared, on the basis of reciprocity, to end the state of emergency which is now in effect on the border as a result of the Iraqi Government's threats. Thus, Iran will order all its military units to return to their headquarters from the borders. The Imperial Government also deems it necessary to emphasise that, in the interval or under any circumstances, should the Iranian flag be insulted or Iran's rights to free shipping on the Arvand Rud be obstructed, the reaction will be harsh and the Imperial Government, guided by its sacred duty, will eliminate any obstruction. Thus, the Iraqi Government will be responsible for the undesirable consequences of its aggressive behaviour on the Arvand Rud. (Tehran in Persian 10.30 GMT 27.4.69)

Senate proceedings on 28th April (Excerpts) During its session today the Senate strongly criticised the Iraqi officials' treatment of Iranian pilgrims and once again hailed the nation's single-minded attitude in protecting Iran's undisputed rights in the Arvand Rud. At the beginning of today's session, which met 10.00 under the chairmanship of Sharif-Emami, Senator Farrokh, speaking before the session began its agenda, referred to the Iraqi officials' mistreatment of Iranians resident in Iraq and Iranian pilgrims to Iraqi shrines and said: The Iraqi officials are inhumanly treating Iranian pilgrims and Iranians residing in Iraq. Most of our countrymen are being subjected to persecution and torture by Iraq officials. Senator Farrokh said that many Iranian pilgrims to Iraq had recently been handed over to Iranian border guards at Khosrovi in an insulting manner. He asked whether this was a proper attitude. Would it be civilised to treat Iraqis residing in Iran or Iraqi pilgrims in the same manner? He called on the Government to explain to the Senate what action it had taken in this regard and what action it would take in the future... Senator Ashraf-Ahmadi said he had received many messages from Khuzestanis expressing their readiness to sacrifice their lives for the vindication of Iran's rights. He said we were sure that an overwhelming majority of the fraternal Iraqi people - with whom the Iranian people have common ties of religion, history and ideals - were in no way in agreement with the Iraqi officials' attitude and statements... (Tehran in Persian 10.30 GMT 28.4.69)

Public support for Government policy (Text) Iranian people throughout the country have welcomed and supported the Government's action to protect Iran's rights in the Arvand Rud. The people are displaying a glorious and fervent sentiment with regard to the country's defence. From the first day the Government announced that it would not tolerate any aggression in the Arvand Rud, the Pars New Agency has received hundreds of letters and telegrams from all parts of the country. All these show the people's readiness to sacrifice their lives for the Shah and the homeland... While hailing the sentiments of the people who have sent us these letters and telegrams, the radio regrets it cannot reflect them in its broadcasts because of the sheer volume of correspondence. (Tehran in Persian 10.30 GMT 28.4.69)

Aid for Iranians from Iraq (Text) The Red Lion and Sun Society has announced that it has set up a well-equipped camp at the Khosrovi border for Iranian pilgrims to Iraq and Iranians residing in Iraq who have been expelled from that country. A society/spokesman said that the camp had been set up by the Kermanshah branch with the co-operation of the local gendarmerie and the Society's central relief organisation. (Tehran in Persian 10.30 GMT 28.4.69)

PA 10/11

Iraqi Reports

'An-Nur' on West German support for Iran In an editorial entitled "West Germany's role in the Iranian provocations", 'An-Nur' says: At a time when the GDR openly supports Iraq's legitimate rights and liberation policy, West Germany persists in its anti-Iraqi and anti-Arab policies. It still supports Israel and imperialism and is now encouraging the rulers of Iran in their current provocations against Iraq and in their violation of international treaties and agreements. The fact that West Germany has supplied the rulers of Iran with pilots for Iranian ships violating the sovereignty of Iraqi waters in the Shatt al-Arab decisively indicates that the rulers of Iran have linked their destiny to that of imperialism, Zionism and the Bonn revenge-seekers. These rulers now represent the scourge of persecution and slavery for the Iranian people who are suffering bitterly from the exploiting reactionary regime in their country. West German support for the Iranian rulers in their provocations against Iraq exposes the close link between these rulers and the imperialist countries fighting against the liberties of people, seeking to usurp the peoples' riches and keeping the people in a state of ignorance, illiteracy and backwardness. (Baghdad in Arabic 05.30 GMT 28.4.69)

Iraqi Foreign Ministry Protest on Khorramshahr incidents (Text) The Foreign Ministry yesterday submitted a strongly worded protest Note to the Iranian Embassy in Baghdad on the outrages against and harassment of the Iraqi Consulate staff in the Khorramshahr Consulate. The Note asks the Iranian Government to put an end to such outrages, which constitute a flagrant violation of international practice and regulations on diplomatic and consular treatment. The Iraqi News Agency has learned that the Foreign Ministry's Note draws the attention of the Iranian Embassy to the care the Iraqi authorities are taking to protect Iranian establishments in Iraq and those working in them. The Note gives details of the outrages to which our consulate in Khorramshahr is being exposed. These include an attempt to kidnap two consulate officials and the local clerk on the evening of 23rd April and a raid on the house of a consulate official late at night to terrorise him. In addition, the Iranian Security Forces are harassing with questions or detention everyone who enters the consulate. The Foreign Ministry has informed the Iranian Embassy of the extreme importance the Iraqi Government attaches to putting an end to such attacks and taking measures to ensure that they do not recur. (Baghdad in Arabic 11.00 GMT 28.4.69)

Iraqi protest document to the UN (Text) A document circulated to the UN representatives by the charge d'affaires of the permanent Iraqi delegation to the UN, Adnan Ra'uf, was published at the UN, last night. The document deals with the Iranian rulers' provocations in the Shatt al-Arab area. Among other things, the document says that the recent Iranian actions in this Iraqi region are merely expansionist measures threatening the security and peace of the area. These actions can only be considered as a link in the chain of imperialist-Zionist schemes against Iraq and the Arab countries. Ra'uf pointed out that the Iranian rulers' unilateral abrogation of the 1937 Iraqi-Iranian treaty on the Shatt al-Arab is contrary to the principles of international law and international agreements. The document goes on to say that Iraq is seeking peaceful solutions to its problems with Iran. It is also eager to strengthen relations with the Iranian people. On the other hand, Iraq reserves its full right to take all legitimate measures to defend its independence, sovereignty and national interests. (Baghdad in Arabic 04.00 GMT 29.4.69)

[Note: The last Appendix on this subject was published in ME/3059.]



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(3/54/2)

RECEIVED IN REGISTRY No. 10 30 APR 1969 NEQ 3/324/1

29 April, 1969

Dear Leonard,

Shatt al-Arab Dispute

Could you please let me have, for our files, a copy of the 1937 (Iraqo-Iranian) Shatt al-Arab Treaty, and of its protocols or annexes?

2. It would also be useful to have a spare of the latest Research Department Memorandum on the dispute. As far as I can remember, a background paper on it was put out in 1960 or 1961, after the flare-up over the river in 1959.

Yours ever

Stephen

(S. L. Egerton)

L. V. Appleyard, Esq.,
Near Eastern Department,
Foreign & Commonwealth Office.

P.S. In haste!

Life is
ghastly here..

Mrs. Hinchey. Could you fax this in?

Reqs. 5/11 Letter drafted
and app. by D.F.M.
1/5.
Can you find the letters
at despatch please. I have
none here. P.M.H. 30/4

L.V. Appleyard 24/4

PA P.M.H.

m P.M.H.
2/5

RECEIVED IN
REGISTRY No. 10

- 1 MAY 1969

NEQ 3/324/1

Shatt el Arab - Sifurim.

BBe interview.

Mr Dodd (Person Sine BBe)
accompanied by some six or seven (six)
colleagues from the Persian & Arabic
Service is calling on me at 3.45 p.m.
on Wednesday, 30 April.

2. He would like to be briefed on

(a) Shatt el Arab

(b) Iran in General - external and
internal.

(c) Iran internal.

3. Would you be able to attend with
Mr Robinson?

4. I would like to see your minute
describing the current state of affairs.


Mr Robinson

J.P.F.

29.4.

A P M M 2/5

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CYPHER/CAT A

PRIORITY TEHRAN

TELEGRAM NUMBER 369

TO FOREIGN AND COMMONWEALTH OFFICE

30 APRIL 1969.

RECEIVED IN
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1 MAY 1969
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ADDSD TO FCO TELNO 369 OF 30 APRIL

RFI BAGHDAD BONN STOCKHOLM OSLO COPENHAGEN THE HAGUE UKDEL NATO
(BRUSSELS) TOKYO BELGRADE PARIS AND WASHINGTON

SHATT-AL-ARAB.

THE MINISTER OF COURT ASSURED ME LAST NIGHT THAT THE "STATUS QUO" AS HE CALLED IT WOULD BE MAINTAINED FOR FOREIGN SHIPPING CALLING AT PERSIAN PORTS IN THE SHATT. IN ANSWER TO MY QUESTION HE SAID THIS MEANT THAT FOREIGN SHIPS WOULD BE ALLOWED TO FLY THE IRAQI FLAG AND CARRY IRAQI PILOTS. HE IMPLIED THAT THIS STATE OF AFFAIRS WAS LIKELY TO CONTINUE FOR SOME TIME BUT NOT INDEFINITELY.

2. THE MINISTER TOLD ME THAT THE IRANIANS WERE ANXIOUS TO NEGOTIATE WITH IRAQIS. I REFERRED TO PROCEDURE UNDER ARTICLE 33 OF THE U N CHARTER AND SAID WE MUCH HOPED THAT THE IRANIANS AND IRAQIS COULD REACH AGREEMENT.

FCO PASS PRIORITY TO ALL INFORMATION ADDRESSEES.

SIR D.WRIGHT

[REPEATED AS REQUESTED]

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EN CLAIR

ROUTINE UKMIS NEW YORK TO FOREIGN AND COMMONWEALTH OFFICE

TELEGRAM NO. 827

30 APRIL 1969

UNCLASSIFIED

ADDRESSED TO F.C.O. TELEGRAM NO. 827 OF 30 APRIL REPEATED FOR INFORMATION TO BAGHDAD, TEL AVIV, KUWAIT, JEDDA, CAIRO, WASHINGTON, BAHRAIN RESIDENCY AND MOSCOW.

SHATT AL-ARAB DISPUTE.

IN A LETTER TO THE PRESIDENT OF THE SECURITY COUNCIL (DOCUMENT S/9185 OF 29 APRIL, COPIES BY AIR BAG) THE ACTING PERMANENT REPRESENTATIVE OF IRAQ, ON INSTRUCTIONS, STATES THAT IN THE VIEW OF HIS GOVERNMENT THE UNILATERAL ABROGATION BY IRAN OF THE IRAQ/IRAN BORDER TREATY OF 1937 QUOTE CONSTITUTES A CLEAR VIOLATION OF THE RULES OF INTERNATIONAL LAW UNQUOTE. THE ACTION IS DESCRIBED AS ILLEGAL, AND IRAN ALONE IS SAID TO BEAR THE INTERNATIONAL RESPONSIBILITY FOR IT.

2. THE LETTER CONTINUES

QUOTE THE IRANIAN RENUNCIATION OF THE 1937 TREATY WAS ACCOMPANIED BY MASSIVE DISPOSITION OF TROOPS, NAVAL AND AIR FORCE UNITS ALL ALONG THE IRAQI BORDERS. THIS CONSTITUTES A SERIOUS THREAT TO THE SECURITY AND THE TERRITORIAL INTEGRITY OF THE REPUBLIC OF IRAQ. IN FACT, SOME OF THESE TROOPS AND MILITARY UNITS HAVE ACTUALLY BEEN USED IN VIOLATING IRAQI SOVEREIGNTY IN SHATT AL-ARAB, AND IN CONDUCTING ACTS WHICH CONSTITUTE A SERIOUS INTERVENTION IN THE IRAQI ADMINISTRATION OF SHATT AL-ARAB WHICH IS AN INDIVISIBLE PART OF IRAQ'S INTERNAL JURISDICTION. UNQUOTE

F.C.O. PASS BAGHDAD, TEL AVIV, KUWAIT, JEDDA, CAIRO, BAHRAIN RESIDENCY AND MOSCOW.

LORD CARADON

[REPEATED AS REQUESTED]

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EN CLAIR

KUWAIT TO FOREIGN AND COMMONWEALTH OFFICE

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LNNO 155 1 MAY 1969

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Addressed to FCO telegram No. 155 of 1 May.
Repeated for information to Baghdad, Tehran, Bahrain,

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Kuwait telegram No. 142 to FCO. Iran/Iraq.

The Kuwait press has reported that Shaikh Khaled Al Ahmed Al Sabah, President of the Amiri Diwan, has flown to Tehran with a personal message for the Amir to the Shah about the crisis with Iraq. The Kuwait Foreign Minister, has stated that Kuwait would be playing an effective and positive role in settling the crisis.

2. Shaikh Sa'ad, Minister of Defence and the Interior, also left Kuwait on 30 April for Baghdad en route to Cairo (Kuwait telegram No. 149 to FCO - not to all - refers). The press has reported that he will deliver a message for the Amir to the President of Iraq expressing Kuwait's desire to act as mediator.

MR FALLE

1e *[Signature]*
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Near Eastern Department,

76

1 May, 1969.

(NEQ 3/324/1)

Shatt al Arab Dispute

Please refer to your letter
3/54/2 of 29 April 1969 to
Len Appleyard.

2. The 1937 treaty is at Annex
"A" of the 1964 Research Department
Memorandum of which I enclose a
copy.

3. I also enclose the latest
paper produced on the dispute by
Research Department.

(P. R. M. Hinchcliffe)

**S. L. Egerton, Esq.,
UKM's New York.**

CONFIDENTIAL

Registry
No. NEQ 3/324/1

DRAFT Letter.

Type 1 +

SECURITY CLASSIFICATION

~~Top Secret.~~
~~Secret.~~
~~Confidential.~~
~~Restricted.~~
Unclassified.

To:— S.L. Edgerton,
U.K. Miss., New York.

From
P.R.M. Hinchcliffe.
Telephone No. & Ext.

Department

N.E.D.

PRIVACY MARKING

.....In Confidence

Shatt al-Arab Dispute.

Please refer to your letter
3/54/2 of 29 April 1969 to ^{Len} Appleyard.

2. I enclose a copy of the
1964 Research Dept memorandum
on the dispute. The 1937 treaty
is at Annex "A" of the memorandum.

3. I also enclose the latest paper
produced on the dispute by Research
Department.

Jme 1/5

of which I enclose
a copy

CONFIDENTIAL

(77)

Reference.....

Mr. A.A. Acland (Near Eastern/Arabian Dept.)

I attach a telegram to Tehran about advising shipowners on a question of flags in the Shatt-Al-Arab on the lines agreed with Mr. Hinchcliff this morning. If you agree and in view of the fact that the papers are entered with you, you may wish to despatch the telegram and place it on your file.

F
REC
- 2 MAY 1969
NEQ 3/324/1

J. T. Warefield
for (M.E. HEATH)
29 April, 1969

PA [signature]

CONFIDENTIAL

Registry No.
DEPARTMENT

E

* Date and time (G.M.T.) telegram should
reach addressee(s).....

SECURITY CLASSIFICATION

PRIORITY MARKINGS

~~Top Secret~~
~~Secret~~
Confidential
~~Restricted~~
~~Unclassified~~

~~Flash~~
~~Immediate~~ }
~~Priority~~
Routine

(Date)

Despatched

PRIVACY MARKING

In Confidence

En Clair.
Code
Cypher

[*Security classification*
—if any]

CONFIDENTIAL

[*Privacy marking*
—if any]

[*Codeword*—if any]

TEHRAN

Addressed to

telegram No. (date)

And to

repeated for information to BAGHDAD, BONN, STOCKHOLM, OSLO,
PARIS, COPENHAGEN, THE HAGUE, UKDEL NATO (BRUSSELS),
TOKYO, BELGRADE AND WASHINGTON

Saving to

Your 21369
Tehran tel 270 reinforces
us in this opinion

Repeat to:—

Baghdad, Bonn,
Stockholm, Oslo,
Paris, Copenhagen,
The Hague, UKDel
NATO (Brussels),
Tokyo, Belgrade,
Washington.

Saving to:—

• My telegram No. 270:

Shipping in the Shatt al Arab.

~~Although your information will be more up to~~
~~date~~ It seems to us that both sides are anxious to
avoid incidents involving other shipping and that the
flag-flying issue may not be pressed. In view of
this we ~~doubt, on reflection,~~ *consider we should not* whether it would be
~~worth~~ at this stage initiating a round of
consultations with the other main maritime powers.
Furthermore British shipping companies ~~do~~ not seem
unduly concerned about the situation. None has so
far sought advice from us or the Board of Trade.
2. If however the situation deteriorates we would
of course reconsider this. In any case if our advice
is asked by shipping companies we would propose to
say:

(a) shipowners should continue their establish-
/ed.....

Distribution:—

Departmental
Near Eastern
A.M.T.D.

Copies to:—

M.J. Cochlin,
Esq.,
Board of Trade.

NOTHING TO BE WRITTEN IN THIS MARGIN

ed practice with regard to wearing flags;

(b) If, as we hope, a compromise solution of the flag problem is worked out between the Iraqi and Iranian Governments, then we think that shipowners should comply with it.

NOTHING TO BE WRITTEN IN THIS MARGIN

Reference.....

R.

- 2 MAY 1969

Mr. Tripp

NEQ 3/324/1

In view of para 6 below you should see the draft telegram at Flag D.

J.P. [signature]
30.4

Shatt Al Arab

FLAG 'A'

Sir Denis Wright has asked us (Tehran telegram 355, to look into the question of the main maritime powers who use the Shatt giving concerted advice to their shipping companies.

2. A.M.T.D. have looked into this problem and feel that as the heat appears to be going out of the Iranian/Iraqi confrontation it would not now be appropriate to risk the generation of fresh heat by entering into formal discussion on this delicate issue with the countries concerned.

3. As far as British companies are concerned they are very relaxed in their attitude to the Shatt dispute - they have not asked for advice and therefore A.M.T.D. do not intend to take an unnecessary initiative at this stage.

Flag D

4. I recommend that the attached telegram initially drafted by A.M.T.D. and subsequently slightly amended by us after consultation with the legal Counsellor (Mr. Burrows), should be despatched.

5. A.M.T.D. and Mr. Acland concur.

FLAG 'B'

FLAG 'C'

6. F.C.O. telegram 270 to Tehran referred to in the draft telegram is also attached. This telegram was despatched after submitting to Mr. Arthur and the submission was seen by Mr. Roberts. You may not feel that another submission is necessary in this case but perhaps Mr. Arthur would wish to see the telegram before it is despatched.

[Signature]

(P. R. M. Hinchcliffe,
30 April, 1969.

I agree with this generally but his tel. needs to take account also of Tehran 369 since received

[Signature]

[Signature]

Pl do so - we shall.

Mr. [Signature]

[Signature]

Redraft

78
Mr Tripp:

Redraft attached, together
with Tehran tel 369,
Mr Hinchcliffe's original draft.
Mr Acland agrees.

Shanklin,
1.5.69

~~CONFIDENTIAL~~

(F. S. ...)
30 April 1969

CYPHER CAT A
PRIORITY TEHRAN
TELEGRAM NUMBER 373

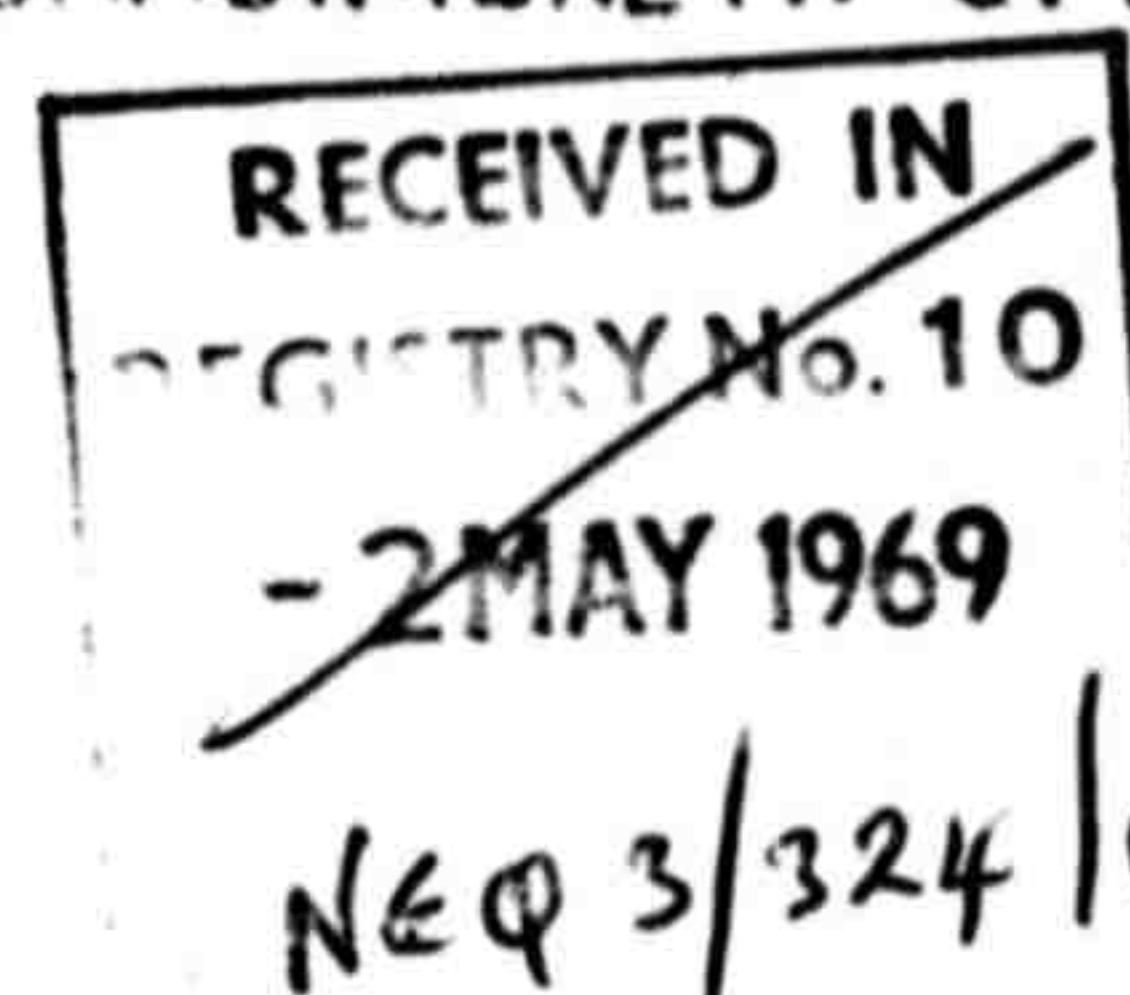
CONFIDENTIAL

TO FOREIGN AND COMMONWEALTH OFFICE

1 MAY 1969

TOP COPY

78



CONFIDENTIAL

ADDSO TO FCO TELNO 373 OF 1 MAY RFI BAGHDAD KUWAIT AND BAHRAIN
RESIDENCY

MY TELNO 369

SHATT AL ARAB AND IRANO-IRAQI RELATIONS.

DURING LAST FEW DAYS, IRANIAN PRESS HAS CONTAINED NUMBER OF
TENDENTIOUS STATEMENTS, ALMOST CERTAINLY OFFICIALLY INSPIRED,
LINKING US WITH PRESENT IRANO-IRAQI DIFFERENCES AND ALSO PUTTING
INCREASING BLAME ON US FOR THE INIQUITIES (IN IRANIAN EYES) OF THE
1937 TREATY. IN PARTICULAR, LAST NIGHT THE IRANIAN MINISTRY FOR
FOREIGN AFFAIRS RELEASED A STATEMENT CONCERNING FOREIGN OFFICE
REPORT NO E7925/34 PREPARED BY A MR BAGELY AND DATED 21 DECEMBER
1936, WHICH THEY CLAIMED WAS CONCLUSIVE PROOF OF BRITISH INTER-
FERENCE IN THE FORMULATION OF THE 1937 TREATY. THIS STATEMENT HAS
BEEN GIVEN WIDE COVERAGE ON THE RADIO AND IN THE PRESS AS THE
"PROOF OF THE PUDDING".

2. LIKEWISE THE IRANIAN PRIME MINISTER, NOW IN EUROPE, IS QUOTED
IN THE LOCAL PRESS AS HAVING STATED AT PRESS CONFERENCE BOTH IN PARIS
AND BONN THAT THE 1937 TREATY WAS SIGNED "AT A TIME WHEN IRAQ
WAS UNDER THE BRITISH MANDATE".

3. I HAVE THOUGHT IT BEST NOT TO ANSWER THESE ALLEGATIONS AND MIS-
STATEMENTS OFFICIALLY, BUT THIS MORNING TELEPHONED ACTING FOREIGN
MINISTER TO POINT OUT THAT IF THEY CONTINUED NOT ONLY WOULD ANGLO-
IRANIAN RELATIONS SUFFER BUT THAT THERE WAS BOUND TO A REACTION IN
THE BRITISH PRESS. I URGED HIM THEREFORE TO DO WHAT HE COULD TO
DAMP DOWN THE PRESENT CAMPAIGN. MY INFORMATION OFFICER IS ALSO
DOING WHAT HE CAN ON A PERSONAL BASIS TO SET THE RECORD STRAIGHT.

PA PNM

/4. I SUGGEST

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4. I SUGGEST THAT NEWS DEPARTMENT MIGHT EXPRESS , MORE IN SORROW THAN IN ANGER, REGRET AT THE CURRENT MISREPRESENTATIONS ABOUT BRITISH POLICY, BOTH PAST AND PRESENT, NOW APPEARING IN THE PERSIAN PRESS. I DO NOT REPEAT NOT RECOMMEND AT PRESENT THAT THE PERSIAN SERVICES TAKES UP THE CUDGELS, BUT THIS SHOULD BE KEPT IN MIND IF THE CAMPAIGN CONTINUES.

FCO PASS PRIORITY BAGHDAD.

SIR D.WRIGHT

[REPEATED AS REQUESTED]

FCO/WH DISTRIBUTION
N.EAST. DEPT.

NEQ 3/324/1, (R) ADR/Neue Eastern Dpt

STRY

No

REPEITION OF TELEGRAMS

YT 4

(Date).....

(1) TELEGRAM SECTION
FOREIGN OFFICE.

(Despatched).....M.

Please repeat to the posts shown below telegram No. 373

from/ ~~TEHRAN~~ dated. 1 May 69

Washington No. 1017. (Date) 5/5

No.....

No.....

No.....

No.....

No.....

(Signed) *Thalidon*

(Dept.) *VED*

(Date) 2 May

~~En clair~~

Code

Cypher ✓

(2) DIVISION CONCERNED (FOR ARCHIVES).

Cypher

Routine

(2) DEPARTMENT CONCERNED (for Archives)

(For use in Communications Department)

Security classification *Confidential*

Addressed to *WASHINGTON* telegram No. *1017* of *5 May*

and to

Following telegram now repeated to you at request of *Department*

was received from *TEHRAN* telegram No. *373* of *1 May*

[Here insert from A to B of attached telegram]

79.

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RECEIVED IN REGISTRY No. 10 - 2 MAY 1969 NEQ 3/324/1

Mr. Tripp

Mr. Miers

*J.P. [unclear]
T.S.*

Shatt al Arab

I have submitted separately to Mr. Miers a draft record of conversation between the Minister of State and the Iranian Ambassador on 30 April.

2. I think that it would also be worth telegraphing a brief summary.

3. I attach a draft.

A.A. Acland

(A. A. Acland)

1 May, 1969.

*1a [unclear]
2/5*

CONFIDENTIAL

80

29 April, 1969



With the compliments of
**THE UNITED KINGDOM MISSION
TO THE UNITED NATIONS**

(S. L. Egerton)

*3/3
in the child*

**845 THIRD AVENUE,
NEW YORK, N.Y.**

S. L. Egerton

**A. A. Acland, Esq.,
Near Eastern Department,
F.C.O.**

RECEIVED IN	
REGISTRY No. 10	
- 5 MAY 1969	
NEQ 3/324/1	

in the child

REPUBLIC OF
IRAQ



29 APR 1969
PERMANENT MISSION
TO THE UNITED NATIONS
14 EAST 79TH STREET, NEW YORK
TEL. REGENT 7-4435

PRESS RELEASE

28 April 1969.

A good paper. The
Iraqi Mission here are
"red hot" on this subject
& well documented.

1. Copy ^{by air} to A.A.
Adams Esq NED
FLO

THE IRAQI - IRANIAN
BORDER QUESTION

U.C.S. - Rome

also
to
Chanceries at
Baghdad
Tehran
Kuwait
Bahrein (Pers)
Jedda.

2. Enter.

3. Mr Parsons &
Mr. Sidiyad 2/1

On 19 April 1969 the news agencies and information media reported the statement made by the Iranian Acting Minister for Foreign Affairs in the Iranian Senate whereby the Government of Iran announced its unilateral abrogation of the "Iraqi-Iranian Boundary Treaty of 1937". The same statement included several unfounded allegations regarding the Iraqi administration of the navigation in Shatt-el-Arab, and the measures taken by the Iraqi Government to ensure the security of Iraq and its territorial integrity.

The Government of Iraq views with utmost seriousness this statement which together with the provocative measures taken by the Iranian Government in the area of Shatt-el-Arab, will bear direct consequences on the relations between the two countries. In this connexion, and upon instructions from the Government, the Acting Permanent Representative of Iraq would like to point out the following:

1. The abrogation by the Government of Iran of the "Iraqi-Iranian Boundary Treaty of 1937" is a unilateral action contrary to the principles of international law and the sanctity of international agreements.
2. The Government of Iraq still regards the "Iraqi-Iranian Boundary Treaty of 1937" as valid, effective and binding on both Iraq and Iran. The Treaty provided a final and perpetual settlement between the two countries and, in accordance with the principles of international law, cannot be abrogated or amended unilaterally.
3. The "Iraqi-Iranian Boundary Treaty of 1937" was based on various international documents, valid and binding on both countries. Among such documents are the Constantinople Protocol of 1913 and the Proceedings of the Boundary Commission of 1914. The 1937 Treaty was duly concluded and ratified, and the instruments of ratification were formally exchanged in accordance with the constitutional procedures of the two countries.
4. According to the 1937 Treaty, and other relevant international agreements preceding it, the river of Shatt-el-Arab is an Iraqi territory, and the administration and control of navigation therein is an Iraqi public domain. Consequently, no foreign authority can legally be allowed to participate in the river's administration in violation of Iraq's sovereignty and independence.

5. Iraq has always treated foreign subjects, including the Iranians, in accordance with the Iraqi laws and regulations and the rules of international law.

6. The invalid and unilateral abrogation by Iran of the 1937 Treaty was accompanied by a demonstration of force in the form of massing troops, and other provocative actions such as the navigation of Iranian merchant vessels under the Iranian flag and with Iranian pilotage. These commercial ships were escorted by armed Iranian naval units and aircraft; all in violation of the provisions of the Treaty.

7. Iraq aims towards the solution of disputes with Iran peacefully in accordance with the United Nations' Charter, the principles of international law and the Boundary Treaty of 1937 between the two countries. Iraq is anxious to maintain and strengthen the relations with Iran and its friendly people in a manner commensurate with their mutual interests and the historical ties that bind them, and in a good-neighbourly spirit. Accordingly, Iraq has faced the present situation with utmost restraint, despite the fact that the Iranian action is void of any legal basis and is ultimately a political and expansionist measure which threatens the peace and security of the area, and cannot be considered except as a part of the Zionist and imperialist designs against Iraq and the Arab countries.

8. In view of these provocative actions the Government of Iraq reserves its full right to take any and all legal actions to safeguard Iraqi independence and sovereignty and to protect its interests.

HISTORICAL BACKGROUND

The dispute between Iraq and Iran over the border separating the two countries has a long history which goes back to the time when Iraq was part of the Ottoman Empire. The frontier between Iraq and Iran is based on the Treaty of Erzurum concluded in 1847 between the Ottoman and the Iranian Governments, and the Border Delimitation Protocol signed at Constantinople on 4 November 1913, by the Foreign Minister of the Ottoman Empire and the Iranian Ambassador on behalf of their respective governments, and the Ambassadors of Great Britain and Russia whose governments acted as mediators.

Article 5 of the Protocol of 1913 clearly stipulates that once a section of the frontier has been delineated by the Commission set up in accordance with Article 2 of the Protocol, that section will be considered as final, and not subject to any subsequent examination or revision.

The Commission which was set up for this purpose under Article 2 completed the actual delimitation during 1914, thus bringing to an end the long and complicated border dispute between the Ottoman Empire and Iran.

The records of the meetings of the Delimitation Commission of 1914 provide ample and detailed description of the border line along Shatt-al-Arab. The Ottoman Empire was given sovereignty over the entire river and the border line was fixed at the eastern or Iranian bank of the river. Despite the legality of this delimitation which involved Iranian territorial gain at the expense of Iraq, the Government of Iran completely reversed its attitude when the international status of Iraq changed as the result of the defeat of the Ottoman Empire in the first World War. Under international law, Iraq inherited as a successor state the international frontier fixed in 1914 between the Ottoman Empire and Iran. The latter, however, refused to recognize this universally accepted principle of international law and sought by various means to expand its territory at the expense of its neighbor. It disregarded the Treaty of Erzurum and the Protocol of 1913 and consequently ignored the delimitation of 1914 to which it had agreed at the time.

The frontiers of Iraq were subjected to continuous violation by Iran and by 1934 the situation had become so critical that Iraq was forced to submit a formal complaint to the Council of the League of Nations on 29th November of that year. The Council of the League subsequently recommended that the dispute be settled through negotiations.

In 1937, a treaty was concluded, in circumstances that were not favourable to Iraq, in which a small part of the frontier was rectified in favour of Iran.

The 1937 Treaty, which came into force with the exchange of the instruments of ratification in 1938, reaffirmed the provisions of the Protocol delimitating the Turkish-Iranian border signed at Constantinople on 4 November 1913, as well as the records of the meetings of the Delimitation Commission of 1914. In accordance with Article 2 of the treaty, however, the border of Iran opposite Abadan was extended to the deepest point in Shatt-al-Arab (Thalweg) up to Jetty No.(1). With this exception, the Agreement affirmed that the border-line should be the low-water mark on the Iranian river bank, as set out in the records of the Border Delimitation Commission of 1914.

It is clear, therefore, that under the 1937 Treaty Shatt-al-Arab in its entirety is Iraqi territory under Iraqi sovereignty with the exception of the two small sections not exceeding ten miles in which Iran shares the benefits of the river waters.

Shatt-al-Arab

Shatt-al-Arab is a broad navigable waterway in Iraq, formed by the confluence of the Tigris and Euphrates Rivers. All the inhabitants around the estuary are Arabs. The river is 123 miles long and extends from Qurna to Fao, both Iraqi towns. The importance of Shatt-al-Arab to Iraq is beyond measure. In contrast to the numerous ports of Iran, and its long coastline on the Arabian Gulf which extends 1275 miles, Shatt-al-Arab is Iraq's only access to the sea. On it lies Basra, Iraq's only major seaport with a population of nearly 400,000.

Article 5 of the Border Treaty of 1937 provides that the two parties shall conclude an Agreement for the maintenance and improvement of the navigable channel and for dredging, pilotage, collection of dues, health measures, measures for preventing smuggling and all other questions concerning navigation in Shatt-al-Arab. Article 2 of the Protocol attached to the 1937 Treaty states that the two parties shall conclude this Agreement within a year from the entry into force of the Treaty, and if it was not possible to reach such an Agreement all questions relating to navigation in Shatt-al-Arab shall remain the exclusive responsibility of Iraq.

It was proposed to set up a Joint Commission to implement the provision of Article 5 of the 1937 Treaty; however, the intransigence of the Iranian Government and their attempts to exceed the rights granted to them on the one hand, and their disregard of the legitimate rights of Iraq on the other, prevented any constructive understanding in this respect.

The Iranian Government insisted that the proposed Joint Commission should have executive powers covering all aspects of navigation and administration of the Iraqi Port Authority. Such interference in Iraq's domestic affairs could not be accepted by the Iraqi Government, particularly since Iran's share in the river is negligible compared to Iraq's interest. Iraq, on the other hand, agreed to the formation of the Commission with the proviso that it should have only advisory functions, to enable Iran to present her views and protect her interests.

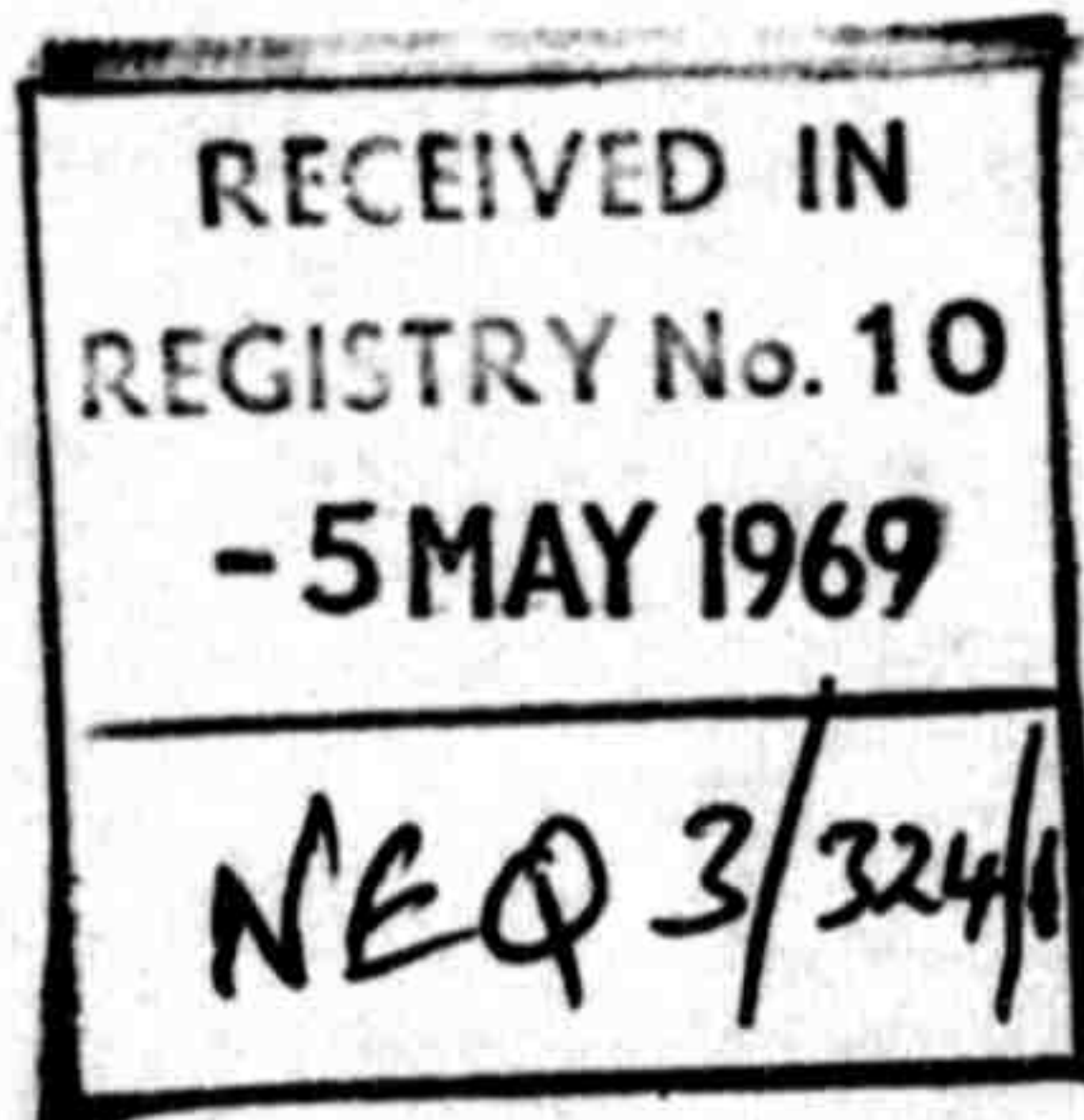
The Iranian Government refused the Iraqi proposals and resorted instead to repeated acts of provocation on the river, violating the rules of the Port Authority and obstructing navigation. An example of these violations is the refusal of Iranian merchant ships to pay dues for dredging and pilotage.

It should be pointed out here that Iranian ships are charged dues at the same rate as Iraqi and foreign ships, and all revenue thus collected is spent to cover the expenses of maintaining and improving the navigable channel. None of this revenue goes into the Iraqi treasury. The budget of the Port Authority is entirely separate and independent of the national and local budgets. Despite the fact that the Iranian Government had recognized Iraq's right in this respect, and had agreed, in the last paragraph of Article 2 of the Protocol annexed to the Border Treaty of 1937, that the Iraqi Government should undertake all services concerning maintenance including the collection of dues charged by the Port, it refused to pay any dues.

It must be noted that this non-compliance with the Treaty of 1937 is not confined to the payment of dues. Iran has also violated the Port regulations for the supervision of ships, the reporting of their movement, their identification, the presentation of necessary papers and their submission to health inspection.

RESTRICTED

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BRITISH EMBASSY

TEHRAN

(3/40)

29 April, 1969.

pl. copy to
Mr Heath
AMTD.

Am 3-
Mr Hinchcliffe
Mr A. [unclear]
Suter

Dear Donald,

52

Irano/Iraqi Relations

62

Please refer to my letter of 24 April and our subsequent telegram No. 362 of 26 April, reporting that the "Arya Far" had sailed.

43

2. Derek Burden has now reported from Khorramshahr that the conditions on which the "Dumra" would be allowed to proceed to Khorramshahr (our telegram No. 355) remain uncertain for a day or so following the Iranian demand that she fly the Iranian flag, and that a meeting of all the local shipping agents was called by the Port Director on 26 April to discuss the situation in general, and in particular the question of reopening the port. Amanpour was present and the press were also in attendance. It seemed clear that the meeting was in large part intended for the benefit of the latter while the former did most of the talking. He announced that the Iranians intended to form a corps of 200 pilots who would be fully qualified to handle all ships entering the Shatt and who would be ready to start operations within the next two or three days. The port would then start accepting registrations again. A condition of this would, however, be that no ship would be accepted at either Khorramshahr or Abadan unless it was flying the Iranian flag and carrying an Iranian pilot. There would however be no insistence on using an Iranian pilot when sailing down the river.

3. At the meeting, the agents present, particularly Gray Mackenzie's, protested that the Iranian insistence on Iranian flag and pilot would place their principals in serious difficulties over insurance, and might also lead to the black-listing of their ships by the Iraqis when they continued up river to Basra, or on subsequent voyages. Amanpour brushed these protests aside as being of no concern to the Iranians. He went on to say that the Iranians would be able to offer "attractive" terms for port dues. When the agents pressed for further details on both the pilotage and port dues schemes, they received only vague and somewhat embarrassed replies.

D. J. Makinson, Esq.,
Near Eastern Department,
F.C.O.

PA [unclear]



The general feeling among the agents present was that the details had not been worked out and that some kind of negotiation with the Iraqis was in progress.

4. On 27 April, it was announced that the port had started accepting registrations again and that it would be on a "business as usual" basis with no restrictions placed on the use of Iraqi pilots. Burden suggests that this relaxation of the rules may, however, only be a temporary move to relieve the chaos that has been building up at Bandar Shahpour, to which port all ships had been diverted. We learned on 27 April also that the "Dumra" had arrived safely at Khorramshahr, flying, we understand (though Burden has not yet confirmed this), the Iraqi flag and using an Iraqi pilot. But there have subsequently been press reports to the effect that two foreign ships, the Dutch "Armitage" and the Liberian "John Morris", have arrived at Khorramshahr flying the Iranian flag and carrying Iranian pilots. *He now has.*

5. The position with regard to foreign shipping, therefore, remains confused. But it is Burden's view that, although the Iranians no doubt intend, if they can, to introduce their own pilots and charge their own dues, they are not yet ready to do so and they are, moreover, reluctant to impose any new rules unilaterally.

6. The general situation in the south is still quiet. Burden reports that there was a good deal of tension before the sailing of the "Ibn Sina" and "Arya Far" last week but, following the escorted passage of these two ships without incident, most people are now feeling rather more relaxed. The army is still very much in evidence and there have been some further small additions to the armoured and infantry strength. The navy is still dispersed and only four patrol craft remain at Khorramshahr port, apart from a converted landing craft being used for air defence. (These patrol craft formed part of the escort for the two Iranian merchant ships.) Sorties by Sabres of the Iranian Air Force have virtually stopped, except when the two ships were being escorted down the river. Although full plans have been made by the Abadan refinery to minimise the risk of any damage from shelling or bombing, the Manager seems to be pretty relaxed about the position and to be convinced that the immediate risk to his refinery is small.

7. According to the press, (and this is confirmed by the Iraqi Ambassador), the Iranians have rejected an Iraqi Note protesting against the passage of the "Ibn Sina" without an Iraqi pilot. The M.F.A. are said to have returned the Note to the Iraqi Embassy explaining that, now that the 1937 Treaty has been abrogated, there is no ground for any such objection. The M.F.A. have also issued a statement on the situation (English text enclosed) which declares Iran's readiness to begin talks immediately for a new and equitable border treaty with Iraq provided that Iraq demonstrates its good faith. The Iranians also offer to withdraw their forces from the border



if the Iraqis do the same. At the same time, the statement reasserts that the 1937 Treaty is null and void and that Iran will take action as necessary to defend its interests in the "Arvandrud" (the latter name is now being used in the press instead of, or at least as well as, the Shatt al-Arab).

8. The press continue to devote a great deal of attention to the situation in the south though the sabre-rattling of the first few days has ended and they now seem to be concentrating on the need for the Iraqis to come to the conference table. The text of a suggested new Treaty has even appeared in the press, said to have been drafted some two years ago by the Centre for Higher International Studies of Tehran University. I enclose Echo of Iran's translation of the main points.

9. The press continue to complain of the behaviour of the Iraqi Government; and seem to be particularly incensed by the accusation that Iran is ganging up with Israel against the Arabs. The accusation that the Iraqis have given Bakhtiar a diplomatic passport is also a favourite subject of complaint and when it was denied by the Iraqi Embassy, the press retaliated by giving the number of the passport which they said had been sent recently to the French Consulate General in Geneva with a request for a French visa. In the last two or three days the press has been giving more and more coverage to harrowing stories of the maltreatment of Iranian citizens in Iraq.

10. Since Mr. Afshar stated in the speech to the Senate on 19 April that the 1937 Treaty had been signed at a time when British colonialism dominated Iran, it was inevitable that the flood of press comments which followed the speech should ascribe at least some of the blame for the current crisis over the Shatt al-Arab to past British "imperialist" influence. Kayhan International, whose editor was educated in British India, took the lead in blaming British colonialism, followed closely by the radical morning paper Ayandegan, which suggested that although the British Mandate in Iraq had ended a short time previously, the 1937 Treaty was signed at a time when British influence still dominated Iraq. Attention has been drawn in most papers to Article 4 of the Protocol, which provides that the Treaty should not prejudice Iraq's previous treaty rights and obligations vis-a-vis the British Government in relation to the Shatt al-Arab; Kayhan International suggested on 28 April that this Article was an infringement of Iraqi sovereignty, and therefore another good reason why the 1937 Treaty should be abrogated.

11. One or two papers have even gone so far as to suggest that Iraq was still under British Mandate or a British Protectorate at the time when the Treaty was signed. While not making any formal protest at this travesty of historical fact, we have tried to contact the editors of all the papers who have made this mistake and explain to them orally that

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the British Mandate was formally ended in 1932. Unfortunately at an interview in Paris on Friday, 25 April, the Iranian Prime Minister stated that the 1937 Treaty "a été signé au moment où les Anglais avaient un mandat sur l'Irak". This has led to a recrudescence of attacks against the British in almost all the newspapers. The Ambassador decided, however, that it was better not to put out any formal correction lest this aggravate matters. While the British have been a useful scapegoat for many editors, the press are already shifting the emphasis to the bad treatment being received by Iranian nationals in Iraq.

12. The Times correspondent in his despatch which was printed in the Times on Monday, 21 April, suggested that newspapers here had attributed the crisis to the unsettling effects of Mr. Heath's recent tour of the area, but in fact there was surprisingly little reference to Mr. Heath in the newspapers, and the correspondent in question was unable to produce much evidence to back up his assertion when we questioned him. One interesting theory which has caused a certain amount of reaction in the Tehran press was that contained in the Financial Times of Wednesday, 23 April, which connected the current crisis over the Shatt al-Arab with the oil negotiations. This point was taken up by Ettela'at, one of the two big papers here, which hinted that the Iraqis had been persuaded by the oil companies to attack Iran at this delicate stage in the oil negotiations. Moscow Radio has of course accused the "oil imperialists" of being behind all the trouble and their commentary was reprinted in several papers, but without any additional comment, and given no more prominence than was the commentary of the B.B.C. Persian Service.

Yours ever,

Michael.

(M. C. S. Weston)

cc: A.E. Saunders Esq., Baghdad. *(with enclosures)*.
D.E.S. Blatherwick, Esq., Kuwait.
M.S. Weir, Esq., Bahrain Residency. *(without enclosures)*.

Copies sent 6/5.

✓ P.U.S.D. ○

✓ Mr Arthur

✓ Mr Hayman

✓ Mr Burrows.

✓ Mr Roberts

✓ 2 file copies

~~A.O.D.~~

✓ U.K. ^{Everyone} miss N.Y.

~~U.K.~~

✓ Miss Collins!

✓ Howard

✓ Assmann

~~Assmann~~

The Statement issued by
the Imperial Ministry of
Foreign Affairs

As it has been officially announced by the Imperial Government of Iran, since the important clauses of the Frontier Treaty of 1316 between Iran and Iraq has, throughout the thirty two years of its conclusion, been kept unheeded by the Iraq Government in spite of the repeated efforts and requests of the Imperial Government, and since the Iraq Government has resorted to stalling tactics in order to refrain from implementing its terms, the said treaty has therefore been practically abrogated by the Government of Iraq, the Imperial Government in accordance with the definite principles of international law considers that treaty as valueless, ineffective, and non-valid.

Furthermore, since with due regard to the historical precedents, and the conditions which were in force in the time of the conclusion of the treaty, when colonialism used all its strength

to protect Iraq, inserting various clauses in that agreement, such as clause 4 of the protocol annexed to that treaty ascertaining the special obligations of Iraq towards Britain. It is obvious therefore that at the present time when those circumstances are changed, their effects, results and outcome have also become unacceptable, and the gifts handed over by colonialism must also disappear.

In accordance also with the legal principle of Rebus Sic Stantibus, which recognises the changes of circumstances existing at the time of the conclusion of any treaty as reasons for the invalidity and valuelessness of such a treaty, the forced and unequal treaty of 1316 can no longer be valid and effective. This is specially so in case of Arvand Rud, the greatest portion of whose waters have their sources in Iranian mountains, where the principle of equality of rights between the signatories of the treaty, a principle observed in all treaties, has not been observed at all.

it has been officially announced, the Imperial Government of Iran, following the instructions and the peaceful intents of His Imperial Majesty Shahanshah Aryamehr, has the inclination and is prepared at the same time to start immediate negotiations, even tomorrow, with the Government of Iraq for the consolidation of the frontiers in Arvand Rud on the basis of Talweg line, which is the accepted international principle, and to sign a new treaty. The Imperial Government is also prepared, if the Government of Iraq shows goodwill, to end the state of emergency now ruling in the frontier area because of the threats from the Government of Iraq, provided that such an action is reciprocated, and to order all its forces despatched to the frontier to return to their bases.

The Imperial Government deems it necessary to emphasise at the same time that if during the interval or at any other time there should be any attempt to insult the Imperial Flag of Iran or any prevention is made against the free passage of ships in Arvand Rud any

of such actions will be met with a severe reaction, and the Imperial Government, bound by its sacred duty, will of necessity remove any obstacle or impediment. The Government of Iraq will be responsible for any grave consequences which might result from their aggressive policy with regard to Arvand Rud.

Suggested Treaty for Shatt al-Arab

Chapter I - Frontier Line

Article 1: The frontier line on Shatt al-Arab from the estuary of the Shatt to the eastern side of Nahr al-Khain river junction shall be the base line of the river bed.

Note 1 - All islands which constitute the natural extension of the Iranian borderline, such as the Minoc island, shall belong to Iran,

Note 2 - All islands on the western side of the base line shall belong to Iraq.

Article 2: Between the eastern side of Nahr al-Khain river junction to the southernmost tip of the Iran-Iraq land borderline, the frontier line shall be the median line of the Shatt.

Chapter II - Shipping

Article 3: Merchant ships of all countries shall have equal right of passage on Shatt al-Arab.

Article 4: Fees bases on tonnage shall be collected on all merchants ships sailing on the Shatt. Such fees shall be fixed by the Shatt Commission specified in article 20; and shall be exclusively spent on:

- a) Pilotage on the Shatt
- b) Preservation and improvement of navigation along the entire length of the Shatt including the estuary
- c) Other matters essential for shipping on the Shatt.

Article 5: Should, after deduction of all above expenses, there remain any surplus revenue, the surplus must be equally divided between the two sides.

Similarly, any deficit in the above expenses shall be made good by equal contribution from both sides.

Article 6: War ships and non-merchant ships of either party may sail on the Shatt.

Article 7: Any warship or non-merchant vessel of a third party may sail on the Shatt at the invitation, or by permission, of either of the two contracting parties, provided that the party issuing the invitation or permission so informs the other party before the ship enters the Shatt.

Article 9: In case of need, the two Contracting Parties may navigate ships according to the Shatt Commission's decision in any part of the Shatt, regardless of the base line or median line frontier, as the case may be.
(To be continued)

SUGGESTED TREATY FOR IRAN-IRAQ - 2

Article 10: In case of a collision between two ships on the Shatt, courts of the country on whose side the collision occurs shall inquire into the accident and shall determine the damage.

Chapter VI - Customs Regulations

Article 19: Collection of custom duty on ship cargo, prevention of smuggling, import and export of unauthorized goods, and quarantine rules for animals and plants shall be in accordance with the rules of the country at whose port the cargo is unloaded.

Chapter VII - Shatt Administration

Article 20: A commission titled The Permanent Commission for Shatt al-Arab shall be established to administer navigational and shipping affairs of the Shatt. It shall be composed of representatives of both countries and shall be formed within two months from the date of the treaty.

Note: The Commission shall have full corporate status in both countries.

Article 21: The Commission shall comprise six members who shall be appointed in equal numbers by both countries.

Article 22: Should either party to the treaty fail to appoint his representatives to the Commission within the specified period, at the request of the other party the Secretary General of the United Nations Organization will appoint such representatives from among the nationals of the defaulting country within 15 days of receiving such a request.

Chapter IX - Definitions

Article 41: Shatt al-Arab (Arvand rud) is the river created by the convergence of river Karun in Iranian territory and the convergence of Tigris and Euphrates in Iraqi territory, passing by the island of Abadan before entering the Persian Gulf.

Article 42: The baseline is the line which is so defined under international law.

Article 43: The median line, for the purpose of this treaty, is the median line of the river at the time of low tide.

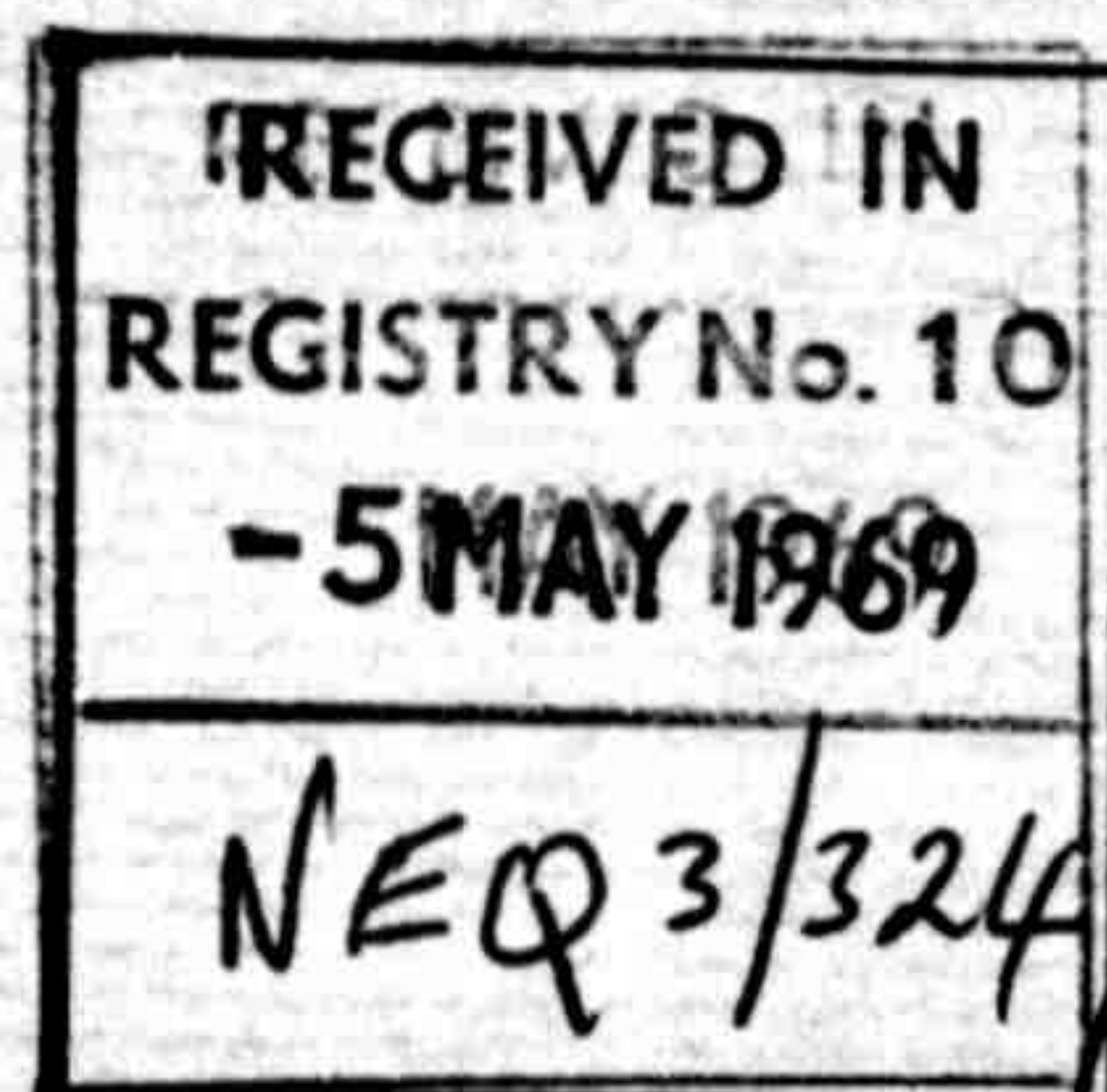
The End

(Ettela'at 23.4.69)

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Mr. Miers

Call by the Iranian Ambassador at 11.30 a.m.

on Wednesday, 30 April

The Minister of State will remember that Mr. Aram will be leaving before too long. Agrément has been given for his successor, Mr. Afshar. No announcement has, however, been made. If Mr. Roberts has not already done so, he might like to tell the Ambassador how sorry he is that he is going. It would also be of interest to us to have an indication of Mr. Aram's plans (since we ought to arrange a farewell meal for him).

--- 2. I attach a brief together with Talking Points on the Shatt al Arab.

3. A separate brief is being submitted on Bahrain.

A. A. Acland

(A. A. Acland)
Near Eastern Department
29 April, 1969.

Copy to: Mr. Tripp
Mr. Hinchcliffe
Mr. Makinson

pn [scribble]

See was record of conversation

Am

2/5

CONFIDENTIAL

Call by the Iranian Ambassador on Mr. Roberts
at 11.30 a.m. on Wednesday, 30 April, 1969.

The Iranian Ambassador is calling at his own request. He will raise the current Shatt Al Arab dispute with Iraq and is expected to produce a plan on the issue of Bahrain and the Islands.

Shatt al Arab

Background

2. Mr. Roberts will have seen the Research Department Memoranda describing the background to the present situation. Some of the steam appears to be going out of the current confrontation; the Iraqis are obviously not prepared to risk the consequences of interfering with Iranian vessels when they are under armed escort in the Shatt and the Government controlled Iranian press is now calling for bilateral talks on the problem. There is, however, always a danger of incidents whilst the armed confrontation continues.

3. In our view - although there are rights and wrongs on both sides - the balance of blame for provoking and building up the present crisis lies with the Iranians who are giving public warning to the Arabs that they (the Iranians) will be the major power in the Gulf after the British withdrawal in 1971. We conclude now, as we have done on previous occasions, that there is not much justification for the Iranian claim that Iraqi failure to observe all the provisions of the 1937 Treaty gives the Iranians the right to denounce it unilaterally. Until we are convinced that some new situation has arisen we have little alternative but to recognise that the Frontier along the Shatt

/remains

remains as settled by the 1937 Agreement.

4. Mr. Aram will probably take the line that the 1937 Treaty was in some way imposed by the British who were, allegedly, at that time concerned in ensuring that the passage from the Persian Gulf to Basra remained under the sovereignty of Iraq with whom H.M.G. had a treaty. The Research Department is urgently investigating the documentary evidence of the extent of British involvement (if any) in the 1937 negotiation but it seems unlikely that the then British interest in the matter would explain the Iranian signature on the 1937 Treaty as Reza Shah (as Mr. Aram will readily recognise) was at the height of his power and was not in the habit of yielding to British or other pressure.

5. For our part, we would not wish to become involved in the dispute. In any case our mediation would be unlikely to be acceptable to the Iraqis whose Government controlled press has recently stated that we are implicated in an Iranian/Imperialist conspiracy to divert Iraq from the struggle with Israel. There has been talk of mediation by Saudi Arabia or Kuwait, but neither would be very effective or really anxious, we suspect, to get too closely involved in such a thankless task. Jordan is another Arab possibility. Better choices might be Turkey or Pakistan, if the latter is not too distracted by internal troubles.

6. Fears have been expressed that the dispute would affect foreign shipping. This has not been the case so far and British shipping companies are not so far worried about the situation in the Shatt and have not asked either us or the Board of Trade for advice.

/Talking

Talking Points (Positive)

7. (a) We are concerned about the present situation in the Shatt involving two of our friends. We hope that a satisfactory long term solution can be worked out bilaterally.
- (b) As I am sure you will recognise, it is in no one's interest if measures are taken which will involve third parties and the shipping of other nations which make use of the Shatt in passage to both Iranian and Iraqi ports.
- (c) The impression that you are giving over the Shatt (if I may speak frankly as befits a friend) is hardly likely to instil confidence on the part of the Arabs or improve in the wider context the prospects for stability in the Gulf.

Talking Points (Defensive)

8. (i) (If mediation is raised)

We do not think that we should become directly involved although we would welcome efforts to arrive at a settlement satisfactory to you and the Iraqis. Would the involvement of, say, Turkey or Pakistan be helpful? We have also seen reports that Saudi Arabia or Kuwait might help.

- (ii) (If British involvement in the 1937 Treaty is raised)

The 1937 Treaty was negotiated with Iraq and freely signed by both countries. I do not think that you can blame British involvement. Reza Shah was at the height of his power and, as you will agree, was not in the habit of yielding to pressure from others.

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DRAFT RECORD OF CONVERSATION BETWEEN MR. GORONWY
ROBERTS AND THE IRANIAN AMBASSADOR ON 30 APRIL.

RECEIVED IN REGISTRY No. 10 - 6 MAY 1969 NEQ 3/324/1

Present:

The Rt. Hon. Goronwy Roberts,
M.P., Minister of State
for Foreign Affairs

H.E. Mr. Abbas Aram,
Ambassador of Iran

Mr. Acland

Mr. Mirfakhrai

Mr. Miers

Mr. Aram said that he must raise a not very pleasant subject. There had been articles in the press uncomplimentary to Iran referring to "gun-boat diplomacy" over the Shatt al Arab. Mr. Roberts would say that H.M.G. had no control over the press but such phrases and articles were not helpful to the friendly relations which he would like to see.

2. Then there had been the recent letter from the Iraqi Ambassador to the Times. Was it right that an Ambassador of a friendly country should make strong attacks on another friendly country in the press of a third friendly country? Iran had been accused of abrogating the 1937 Treaty. No mention had been made of Iraq's failure to observe its terms. The Iranians had made consistent efforts to negotiate the Convention envisaged under the Treaty and recent joint communiqués had implied that the whole frontier from the north to the Persian Gulf, but including the Shatt al Arab, required reconsideration. But Mr. Khalatbary's mission had been very badly treated in Baghdad.

3. The Iraqi Embassy in London had also distributed a communiqué to a number of other missions. This hardly seemed appropriate behaviour, but the Iranians would be forced to reply.

4. The whole dispute had started when the Iraqis boarded an Iranian ship in recognised Iranian waterways. For three years or more the Iraqis had failed to observe the proprieties of international behaviour. Iranian patience was now at an end. They considered the Thalweg to be a frontier. There could be no going back. The Shatt must be under joint administration.

5. Mr. Aram then said that he would come to a delicate
/point.

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-2-

point. The Admiralty, the Foreign Office and the Anglo-Iranian Oil Company had all combined to press the 1937 Treaty on the Iranians. He had only read a fraction of the available evidence but it was clear that Britain wished to give the entire river to Iraq so that British ships could have free access and go to the aid of their ally if necessary. Something must therefore be done by H.M.G. who were and should be concerned.

6. Mr. Roberts said that we were naturally concerned since two countries with whom we had good relations were involved. We hoped that a solution could be worked out between them and it was very important that others should not be drawn in. He felt sure that the Iranians would consider the impact of any action which they might take on the future of the area. The provocation of the present must be weighed against the possibilities of the future. He refuted very strongly the charge that the 1937 agreement was the result of British influence. We could not accept this. The Iranians were free to say what they liked but should consider very carefully before making charges against a friendly country. Reza Shah had been strong at the time and was not susceptible to outside influence.

7. Mr. Roberts said he hoped that Iran could assume the posture of the powerful country that she was, and would seek a bilateral agreement with Iraq perhaps on the basis of proper implementation of the 1937 Treaty. There was a need for good relations with the Iraqis and with the Arabs as a whole and the problem should be set in a wider context.

8. Mr. Roberts said that as regards the press, H.M.G. had no control and Ambassadors or individuals were free to have letters published if the editors accepted them.

9. Mr. Aram repeated that he would have to answer the Iraqi Ambassador and would have to refer to H.M.G.'s involvement. The documents were there and could not be refuted. His Government wanted to negotiate with Iraq but the 1937 Treaty was finished. The situation was very serious. He hoped that Mr. Roberts would look into it and if the Iranians were forced to say something in the press involving the British, they (the Iranians) should not be blamed.

10. Mr. Roberts reiterated that we considered the 1937 Treaty to have been freely negotiated and signed. In summing up he said that the Iranians were entirely free to judge what reaction was best from their point of view. We did not accept that the 1937 Treaty had been signed under

/duress.

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duress. We hoped that the Iranians as a strong and developing power would consider very carefully indeed what action was in their wider and longer-term interest.

Near Eastern Department,
Foreign and Commonwealth Office.

5 May, 1969.

CONFIDENTIAL

LAST PAPER

- Mr. Brown 14/8 : American Dept.
- Mr. White : W.E.D. copy taken: will reply separately.
- Mr. Cooper 15/8 : F.E.S.D. copy taken: will reply separately after receiving assistance from Research Dept (who do perhaps have done all the research).
- Mr. Hinchcliffe : N.E.D. Copy taken (copy taken. will reply separately) 19/8
- Mr. Miller : N.A.D. Copy taken (copy taken. will reply separately) 19/8
- Miss Drew : Central & Southern African Dept.
- Mr. Hanna : American Dept. (or.)

Helsinki Rules on International Water courses

Minerals
over
15/8.
Mr. Marshall
Research Dept.

Could you, please, say if there is a research paper on the problem in regard to the River Plate basin?
M. J. C. 25/8

The Finns have tabled an item on the agenda of the 25th General Assembly known as the "Helsinki Rules, a set of draft Articles relating to the "equitable utilization", "abatement of pollution", navigation, timber floating and settlement of disputes on international rivers and drainage basins. A copy of their explanatory memorandum is attached.

2. There are such in territorial rivers and/or drainage basins within the geographical regions covered by all the depts. to whom this is addressed. It would assist us in preparing briefing on this subject, which has been largely ignored in the past, if we could receive information about any disputes or problems which have occurred on such waterways, such as, for instance, arguments about the rights of navigation, etc. We are especially interested in any case which may have involved a British ship, and we would like to know what interest

I am afraid I do not know of any such paper. You may however like to see the attached translation of an article which (he says to me) summarizes some of the points at issue.

LAST PAPER

S. Cresswell
25.8.

interest HMG has had in the dispute
and what line, if any, we have taken.
We would greatly appreciate if all
comments could reach us by at ~~least~~ the
latest the first week in September.

P. Houghton
M.T.D. 12/8

Mr Houghton M.T.D.

Mr Rundle Res. Dept (M.C. Section)

The Shallal Arab dispute letters

They are in a relevant. The dispute
is fully covered in Research Dept
Papers as are the questions asked by
you in your minute above in our meeting
like to phone at the house. Our attitude

to the dispute is set out in Colos (82)

FLAGRA

of File No 3/324/1 - it is still
contested then.

If there are any blanks you want
filled in off readers to RO papers by
all means one look to me. However I do
feel that this is a query that could have
been directed solely to Res. Dept - in
the first instance at any rate.

RM Houghton

M.T.D. 20/8/70

~~Class~~ / Arg / Uruguay

INTER-AMERICAN AFFAIRS

CONFLICT OVER PLATE RIVER JURISDICTION DISCUSSED

[Article; Montevideo, Cuadernos de Marcha, Spanish, December 1968, pp 75-84]

A. The Chancellors Take Heart

This afternoon, Chancellor Venancio Flores and his advisors will visit the Commission on International Affairs of the House of Representatives to report to the legislators on the delicate problem of Uruguayan sovereignty on the Plate River, which, in recent months, has been repeatedly violated by official Argentine acts. The visit by the minister of foreign relations, last week, to the same commission, was the result of the memorandum to the President, proposed by nationalist deputies, Enrique Beltran, Ariel de la Sierra and Alfonso Requiterena Vogt, to this effect: "The House of Representatives expresses its profound concern over the announcement made public of repeated transgressions by the Argentine Government against the sovereignty rights of the Eastern Republic of Uruguay over the Plate River, and requests that the chief executive take a decisive stand in the defense of our national rights."

Today, before the commission, Venancio Flores will render an account of the decisions made by the Government of Uruguay.

It cannot be said, as we shall see further on, that the chancellors have remained passive toward the Argentine violations. Perhaps the problem (which is as old as the century, since, in 1908, the Argentine chancellor, Estanislao Zeballos, established his "doctrine of the dry coast", maintaining that the entire Plate River belonged to his country) consists of a great omission by Uruguayan Governments, insofar as periodically confirming their rights to the territorial waters is concerned, an omission to which has been added another chronic national characteristic: the lack of budgetary provisions for activity that would normally confirm one's sovereignty (the elevation of the estuary, marking with buoys, etc.). Added to these shortcomings, in recent months, has been a kind of inter-

ference that does not emanate from a definite, coherent political line, but from the vicissitudes of politics: and so, while President Pacheco Areco was engaged in making a protest on behalf of Uruguay against the violation of the waters, he attended a family celebration of President Onganía; likewise, during the very period of these as yet unfinished negotiations, Chancellor Flores was present for the inauguration of a monument in La Plata, and was forced to hold an interview with his colleague, Nicanor Costa Méndez. As we all are aware, both of these activities made an unnecessary break in the expectation and reticence which our government should have maintained toward the Argentinean, until the incident was cleared up.

It should be recognized, however, that, up until now, Uruguay's strength or weakness has not succeeded in changing the unbending conduct of Argentine Governments over the last 50 years, which has become a permanently inculcated premise for successive generations of that country's naval officers: "The Plate River belongs entirely to Argentina." Incidents of violation have marked this half century; whether it be the Recalada pontoon (Argentinean, set on the boundary line) which, since 1904, has been misplaced in over 40 miles of Uruguayan waters; or the mining for hydrocarbons in Uruguayan waters, starting in the bay of San Borombón; or the most recent incidents which, on 18 October last, prompted the Uruguayan chancellery to send one of the harshest notes ever delivered to a foreign government. There were three incidents:

- establishment of a barracks, bearing the inscription SEOP /State Public Works Service / on an alluvial island adjacent to Martín García and, hence, located in Uruguayan waters;
- movement of the Recalada pontoon farther south, once more confining it to Uruguayan waters;
- placement of five buoys (three dark and two lighted) south of Banco Inglés, also in Uruguayan waters.

To these outright violations, the Argentine chancellery has added an unexpected stroke of boldness: on 22 November, an astonished Venancio Flores was to hear from the mouth of the Argentine Ambassador, Álvarez Toledo, after the latter had delivered the Argentine note of reply to the Uruguayan chancellor: "I might add, your excellency, that my government will regard the unilateral mining of hydrocarbons in the Plate River bed, on the part of the government of Uruguay, as a hostile act." Flores' amazement did not prevent him from giving an appropriate reply: "I must reject your excellency's statements. My government will take whatever measures it deems feasible to its interests."

The chancellery immediately resolved to make up for the time lost in long years of omission and indifference. Dust-ridden files, decades

old (including the manuscripts of Chancellor Baltasar Brum who, in 1915, during the second term of Jose Batlle y Ordóñez, issued one of the few Uruguayan protests in the matter) were resurrected, and used as precedents.

The Uruguayan Government should manage with three basic instruments: 1. the protocol of 5 January 1910, signed by our ambassador in Buenos Aires, Gonzalo Ramirez, and the President of Argentina, Roque Sáenz Peña, which declared the status quo for the estuary, stipulating that the entire problem of jurisdiction would be handled in a cordial, friendly manner, and, in fact, set the midway mark of the estuary as the boundary of both jurisdictions; 2. an agreement on the outer boundaries of the Plate River, signed in January 1961 by the then chancellor, Homero Martínez Montero, which set that boundary at the line drawn between Punta del Este and Punta Rasa on Cabo San Antonio, on the Argentine coast, and declared that the ruling on jurisdiction would continue to be that of the 1910 protocol; 3. the Plate River Protocol, signed in January 1964 by both governments, between chancellors Alejandro Zorrilla de San Martín and Miguel Ángel Zavala Ortiz, paragraph 5 of which contained a statement of importance from the Uruguayan standpoint: "Implementation of the plan for elevation (of the estuary) will not change the jurisdictions which the countries abutting the river have been exercising on the Plate River, the only ones which the two governments acknowledge on that river." This sentence is being used by the Uruguayan chancellery experts in preparing a note of reply, to be submitted next week to the Argentine Government, reasoning as follows: "If we speak of jurisdictions, in the plural, they cannot be imposed, but delimited. And, to date, the delimitation of use has been the median line, equidistant from the banks."

The chancellery advisors are also invoking other precedents, such as the designation of the "inner river", which was defined by the Government of Uruguay in the parliamentary ratification of the Geneva agreements on territorial waters. In the case of the "inner river", the doctrine that has been accepted is that of the median line, drawn with mutual consent by the abutting countries.

But, apart from the issues that are being drawn up in the legal sphere, the Government of Uruguay has taken other resolutions, promptly, and these will be made known this afternoon to the Commission on International Affairs of the House of Deputies. Some of these were adopted several days ago. For example, the one relating to the placement of the sign on the alluvial island, baptized by the Argentines as Bauza Island. This was the motive for a careful preliminary analysis on the part of the Uruguayan chancellery. The sign, or "screen", had been erected by the Argentine navy, not because of any diplomatic decision. They simply sent a launch from the Hydrographic Office, with a group of technicians led by Engineer Rondini, from the Ministry of Public Works, to erect another sign bearing the Uruguayan designation: Timoteo Domínguez

island (named for the last Uruguayan commander of Martin Garcia), and the letters MOP Ministry of Public Works.

The other decisions made by the government have more substance, and might bring about friction between the two governments, within the next few weeks. They are, in chronological order:

- the ANCAP Administracion Nacional de Combustibles Alcohol y Portland; National Administration of Fuels, Alcohol and Cement was authorized to reactivate and implement its plans to mine the oil-bearing areas in the Plate River bed. Today, Friday the 6th, there may be a public call for bids in this connection, as a unilateral, sovereign act;
- this weekend, the fishing vessel, "Paysandu", will be sent to Banco Ingles, with a crew from the military fleet, bearing the inscription, "ROU- Banco Ingles", painted on its hull. The "Paysandu" will be anchored as a pontoon until, a few days hence, it is finally replaced by the "Villa Soriano", as a pontoon-beacon;
- this same weekend, three buoys will be put in place at the median boundary (each costing approximately two million pesos): at the Banco Ortiz gorge, south--northeast of Banco Ingles;
- President Pacheco has arranged to contract for a sum of approximately 200 million pesos, so that the Uruguayan Commission on Total Elevation of the Plate River may begin its actual tasks, and the Navy has been ordered to organize this work immediately.

Last week, an Uruguayan ambassador to the chancellery reported that "Ongania wishes to maintain a friendly policy toward Uruguay ; but Costa Mendez, who is closely connected to the navy, is applying the latter's policy. Ongania is aware that it is not feasible for any Argentinean Government to antagonize Uruguay and turn the northern border of the estuary into a permanent political abcess. The precedents set by Rosas and Peron are still in effect." Nevertheless, the Uruguayan chancellery has warned that Ongania's good intentions or sense of history do not serve to neutralize a policy of hegemony which constitutes the basic strategy in the plans of the Argentine Navy. For this purpose, pursuing a beginning that was previously explored by Venancio Flores during Pacheco Areco's trip to Chile, in the past two weeks, the Uruguayan chancellery has carried out two important negotiations in its search for support: one with Itamaraty, and the other with the Department of State. Itamaraty's response, although favorable, has not yet been formalized by any concrete action, though it is anticipated that he might be able to shape it into specific, and, it would appear, technical agreements between the War Fleets of both

countries, designed to collaborate on certain aspects of the elevation of the Uruguayan waters of the Plate River. The North American reply, on the other hand, was more specific, and was expressed in the nature of a warning, in the crude style of the State Department: first, a modern Coast Guard cutter, armed, arrived unannounced at Montevideo, as a gift from the North American government; second, for the first time since he has been in Uruguay, the United States Ambassador, Robert Sayre, delivered a bold speech, interfering in tone.

Also for the first time, a Uruguayan claim against Argentina has not been confined to protest and tacit acceptance of the status quo, produced by the new violation, but rather demands a return to the earlier situation, by withdrawing the Recalada pontoon and the buoys at Banco Ingles. This, added to ANCAP's call for bids, places the Argentine chancellery, but especially President Onganía, in a delicate and unique position. In order to prevent any rash act on the part of the proponents of the alleged Argentine hegemony of the river, the Brazilian and North American chancelleries are remaining on the sidelines. Such is the situation, adding to the country's domestic problems a disturbing prospect for the future.

Carlos Maria Gutierrez. Montevideo, 6 December 1968)

B. Official Statement by the Argentine Chancellery (6 December 1968)

"On the second of this month, the Argentine barge, 'Arenorte 6', ran aground in the waters of the Plate River, in the vicinity of Punta Negra. For the purpose of protecting navigational security, the competent Argentine authorities immediately proceeded to place a green flashing buoy at the scene of the accident, while the Uruguayan authorities, in turn, positioned an unlighted buoy.

"This episode, which constitutes a normal activity by the authorities of the two countries in that area of the Plate River, has evoked newspaper comment in the neighboring country, wherein it is alleged that there was a presumed violation of waters under Uruguayan jurisdiction.

"Without detriment to the historic Argentine titles, the rules governing the use and navigation of the Plate River waters are spelled out in the 1910 protocol, the declaration of 1961 (which set their outer limits) and the 1964 protocol (concerning the total elevation of the river), international accords which have full legal force and merit, binding upon both parties.

"None of these instruments authorizes an interpretation that would seek to introduce innovations on the status quo which they sustain. Thus, it is improper to uphold the existence of an alleged division of the Plate waters by some line which delimits the respective jurisdictions.

"In connection with these topics, the Argentine Government has proposed, for the ninth of this month, in Montevideo, a meeting of the Argentine-Uruguayan working group that was established in June of this year for the purpose of studying and finding a solution to the various problems which arise in the exercise, the use and the navigation of the river's waters.

"The Government of Argentina trusts that, within this group, all the difficulties can be solved satisfactorily, and is in the greatest of sympathy with it.

"The same may be said in connection with the possibilities for exploring and mining the mineral resources that may exist in the bed and sub-soil of the Plate River, and in the adjacent continental shelf, which would open up new and promising prospects for the economic development of both countries."

C. Statement by the House of Representatives of Uruguay (13 December 1968)

"The House of Representatives expresses its profound concern over the repeated transgressions by the Argentine authorities against the sovereign rights of the Eastern Republic of Uruguay to the Plate River, and declares its support of any measure (either adopted or to be adopted) for the strong defense of those inalienable national rights."

D. Comment by the Argentine Press

Petroleum Drilling in the Plate River

The countries bordering the Plate River are hastening to confront the possibility of exploiting the petroleum deposits which may exist in the fluvial sub-soil and on the adjacent continental shelf. Geology has reckoned that the submarine source of hydrocarbons is greater than that found under the solid surface of the earth.

Once the existence of petroleum under the river bed has been confirmed, drilling for it could pose serious problems of a legal type, owing to the lack of definition of both governmental jurisdictions. But, if there is a real, economic interest in both countries, it is not a matter of embarking upon an extremely complex international problem, so long as there exists a technical, legal solution, which will make it possible to take advantage of the appropriately named black gold underground.

Deposits on the Borders

Geology tells us that there exist mineral deposits in border areas extending their strata or veins beneath two or more sovereign states. So long as it is a matter of veins, the solutions can be more or less

easy; but, as the Cordoban geologist, Telasco Garcia Castellanos, points out, in deposits of fluids (hydrocarbons and water) difficulties may arise which are difficult to solve. The wells may have a dip such that, even though they may be on one's own territory on the surface, underneath they draw an oil or gas-bearing deposit from an adjoining nation. Another situation may exist, wherein the oil-bearing complex is shared by two nations. In this instance, the deposit is shared by two governments, but one of them, having less valuable reserves, could, at any time, syphon off the hydrocarbons flowing to the neighboring territory. It is impossible to establish an equitable degree to which each nation may mine them, without a meticulous study of the sub-soil.

The problem is one of extraordinary importance, and offers two possibilities: a. exploitation in a country which exhausts the deposit found in both territories; b. irrational exploitation, which damages the deposits in the neighboring country, as, for example, when the gas needed for its appropriate use in industry is lost.

It should not be thought that this is a theoretical problem. It was discovered, many years ago in Texas, that unscrupulous drillers, by drilling a well on a curved line, were stealing the petroleum from the adjacent concessions. Eleven companies, including Humble Oil and Refining Company, and the Continental Oil Company, charged that petroleum had been stolen from them, and it was proved that there were 27 illegal wells drilled.

According to the modern doctrine of international law, the territories of the various nations are not part of the earth's surface, but conical bodies, whose vertices are located in the center of the earth. Consequently, no government can alter the natural features of a neighboring country. Hence, the volume of petroleum that lies within the nation's underground cone may not be appropriated by the neighboring country, nor even damaged by any mining that is carried out in that country.

The problem has already arisen, to a serious degree, at the present time, owing to the decision to exploit the reserves existing in the North Sea. A German-American syndicate has a five-year concession, and is comprised of the American Oil Company, an affiliate of the Standard Oil Company of Indiana, nine German firms and a group consisting of Esso and Shell. An investment of 100 million marks has been estimated.

During 1967, West Germany and Denmark submitted the case to the International Court of Justice, so that limits might be set on the submarine platform belonging to each country, thus making it possible to apply the right to exploit the underwater areas.

In the problem described, the solution lies in the application of the rules of "neighborhood law", an indisputable reality today, because of the physical contiguity of nations in their zones of contact, and the interdependence arising therefrom. It has been said that this law is the combined rules which determine what effects resulting from the right of ownership ought to be tolerated by the ownership of another. That is, how to find a balance between the similar laws on ownership among nations.

Agreements and Understandings

This matter has been studied very little by jurists. There are but a few opinions, but all agree that accord is necessary. Schoenbrun is studying the problem of the petroleum which exists on the border, and the possibility that a nation, as a result of its geological nature, might obtain considerable advantage over another; or derive the entire production from the source of origin for its territory. The illustrious author says that "this seems evil", and thinks that the problem cannot be solved without trying to compensate, by means of agreements, for the divergent interests of the nations, insofar as it is possible.

Andrassy feels that it is right to apply the ruling on subterranean waters to petroleum. He says that it is common to find petroleum being drilled on both sides of the same subterranean layer. In such instances, it would be appropriate to recommend that the two parties arrive at an understanding as to collaboration and the sharing of quotas, so as to avoid the additional expense of heavy production.

Some Precedents

There are precedents to prove that an understanding is possible. In 1941, the Burmese Government invited China to take part in all the mining operations to be undertaken by British firms on the eastern side of the Lufang mountain range, using a percentage set at 49 percent of the capital of each company. The other precedent, which might very well be repeated in the Plate River, is the convention signed by the Argentine Republic and Bolivia in 1957 to exploit the petroleum-bearing deposits in the Madrejonas zone, common to both. In this convention, it was established that "the mining of the petroleum and gas-bearing deposits which occur, jointly, on the border of both countries, shall be carried out rationally, in accordance with modern techniques, and in consideration of the interests of both parties. For the purposes cited, the Bolivian Government Oil Deposits and the Argentine Government Oil Deposits shall grant the bases for the mining of each of the deposits found under such conditions, as they occur."

This example of a convention, of friendly mutual consideration and effective interdependence and solidarity, ought to be repeated. Think of

what might happen on a river on which navigation was conducted according to specific channels, owing to the existence of large banks, in which case each country would have its own solution for installing pumping towers, one in front of the other, to speed up the drilling of petroleum.

The 1910 Protocol

Since 1910, there has existed, on the Plate River, an agreement that is a wise rule of international political conduct. It is the protocol signed by Doctors Roque Saenz Pena and Gonzalo Ramirez, which holds that "the use of the waters of the Plate River shall continue unchanged, as it has up until the present, and any differences which might arise in this respect shall be settled and resolved in the same spirit of cordiality and good harmony that has always existed between both countries." Why not do so with their river-bed, and exploit it through an agreement between the YPF [Yacimientos Petroliferos Fiscales; Government Oil Deposits] (Argentina) and the ANCAP, without the necessity for large foreign syndicates coming in and setting themselves up in a strategic location of vital interest to the mutual security?

La Prensa, Friday, 13 December 1968

Argentina, Uruguay and the Plate River

A decision by the Government of Uruguay calling for bids to prospect in the sub-soil areas of the Plate River; the subsequent Argentine protest; Uruguay's reply to that protest, and the incidents which took place in Montevideo, including a stone-throwing episode at our consulate, have caused great dismay in Buenos Aires. There is nothing more alien to the desires of Argentines than a conflict with their fraternal neighbor on the Plate River.

Ever since the beginning of our independence from the former Eastern Band, Argentina has had three boundary problems with respect to Uruguay. One (which is really an Argentine-Uruguayan problem with third countries) was resolved in 1961. It involved determining the outer limits of the Plate River, and was connected with the problem of its geographic status. It is well known that certain countries had denied the latter its status as a river, and, comparing it with the estuaries, tried to apply to it the international norms of maritime law. The second problem, which was also solved at that time, was that of delimiting jurisdiction over the Uruguay River, and this was resolved satisfactorily despite the complications which arose in the adjudication of certain of its islands.

The third problem (the determination of the boundaries of the Plate River) is the one that has remained latent. One reason for the

long status quo in this matter is that, as a rule, the utilization of the great river did not produce problems. For example, there were none during the entire last century. But, at the beginning of this century, relations between Argentina and Uruguay were jeopardized to a certain extent when new points of view regarding the problem began to emanate from Montevideo, only to be rejected, with considerable force, by Minister Estanislao Zeballos.

To be sure, matters did not become any worse. In 1910, the Saenz Pena-Ramirez protocol was signed, which resolved the dispute amicably, decreeing that the use and exploitation of the Plate River were to continue as they had up until then. The problem of jurisdiction ceased to pose any questions for several decades, including periods when, under various circumstances, the relations between the two countries reached high levels of tension. But, in recent times, problems have once more emerged. An Argentine decision to start elevating the Plate evoked a protest from the Uruguayans, which was resolved amicably by an accord authorizing the elevation to be done jointly. The Uruguayans, for their part, objected to resolutions by the Argentine Maritime Prefecture authorizing our fishing vessels to carry out their activities within three miles of the Uruguayan coast. Argentine fishing operations have brought protests, and even repressive measures on the part of the Uruguayan authorities, who have also argued over the displacement of buoys placed by the Argentine maritime authority, unlawfully, according to the view upheld in Montevideo.

Finally, the matter threatens to become a source of conflict as the result of the call for bids for the previously mentioned petroleum prospecting, which the Uruguayan Government has arranged unilaterally. The area involved in the bidding comprises part of the river-bed as far as the half-way mark, and extends, beyond the outer limit established in 1961, over the oceanic continental shelf. One corner of the projected Uruguayan concession overlaps the upper limit of the area that has been bid for in the same zone by the Argentine Government. The basic problem, therefore, is that of the interior boundary of the Plate River, which remains undetermined. Added to this problem, among other things, are the issues of commercial fishing in its waters, and the utilization of the submarine platform, the latter recently dramatized by the prospect of finding deposits of hydrocarbons in the zone sought by Uruguay.

There is no boundary between Argentina and Uruguay on the Plate River for the obvious reason that the two parties are not in agreement as to where the line should fall. The theories in the matter are, basically, the following four:

A. The "dry coast" theory which Estanislao Zeballos upheld, which, on the basis of specific historical arguments, affirms that Uruguay

won its independence on a territorial basis, extending from the eastern shore of the river which is, therefore, the sole property of Argentina;

B. The theory that, on the basis of historic rights that have always been exercised by Argentina, affirms that the entire river is under our jurisdiction, with Uruguay owning only the three-mile strip that traditionally (in this instance, by assimilation) set the boundary of the territorial sea;

C. The theory which maintains that the limit ought to pass through the geometric center of the river, on an imaginary line drawn from the source of the Parana and the Uruguay to the ocean;

D. The theory which holds that the limit ought to pass through the line of navigation, hence assuring each party of access through its own waters to its inland ports.

The Uruguayan Government upholds the view described under C., above, that is, that of the median line. It is on this that Uruguay bases its justification of the bidding which it has just called for, without consulting Argentina, and which, on the river span (although not on the maritime), is being called for involving an area that reaches the median line.

The Argentine Government, for its part, has always regarded this theory as not constituting even a basis for discussion. Its apparent simplicity, in fact, conceals the fact that the mouth of the access channel to the port of Buenos Aires would remain under Uruguayan jurisdiction, to which the island of Martin Garcia would also have to revert. We all know that, internationally speaking, a far more important factor than the mere geometric argument of the median line is the geopolitical, geoeconomic argument of navigability, since rivers, or straits and channels, are not reflexions of water, but, above all, routes of communication.

This aspect is the one which explains the traditional usance upon which are based the historical rights of Argentina, constituting a firm title. To be sure, Uruguay has every right in the world to have its own titles honored, but it is a fact of life that the interior location, with respect to the river, of the chief port of Argentina relegates the problem of access to a position different from Montevideo's case.

As may be inferred from the foregoing, the argument is far from an academic one. On the contrary, it involves an important problem that ought to be treated seriously, although, of course, within the completely unique spirit which characterizes the relations between the Plate River nations. It would be unfortunate if a genuinely international difference (which is, moreover, perfectly negotiable) were to be used to arouse pub-

lic polemics engaged in for the sake of domestic positions, or stirred up by third parties interested in alienating two countries that are the closest of friends. What is needed, is for both chancelleries to meet for negotiations with the utmost interest and spirit of practicality. It should likewise be said that affairs between Uruguay and Argentina must be resolved bilaterally, and that any other kind of arbitration to resolve the international disputes in a friendly manner must be discarded in advance.

From this standpoint, there are certain points which seem sufficiently clear-cut:

- Although it may be customary to adopt extreme positions in entering upon negotiations, it would be senseless for Argentina to uphold the theory of the "dry coast", which is contrary, not only to equity and international usage, but to the precedent that was set when the jurisdictions concerning Uruguay were established;

- Argentina cannot fail to be aware, in arriving at its viewpoints, of those which it maintains toward Chile in determining the boundary of the Beagle channel;

- At the same time, Uruguay cannot seek to have the access channel to the port of Buenos Aires remain under Uruguayan jurisdiction for the same reasons of equity and law cited above, in addition to the aforementioned historical rights, which are something more than mere rhetorical argument;

- Starting from these premises, it is worthwhile noting that they have no reason, in dealing with problems such as fishing or the mining of submarine areas, to discard the large number of compromise solutions that have been drawn up by international practice. Neither is it appropriate to discard, in advance, the possibility of a casuistical determination of rights which, although it may be complicated to negotiate, might satisfy, if not the love for geometric solutions, at least the settlement of practical interests.

A common mistake that is made in this kind of problem is to underestimate it. In this event, the problems usually become unexpectedly acute, until they become a source of conflict. And so, what should be done is to treat them with the seriousness befitting two countries such as Uruguay and Argentina, which are under obligation to preserve their legitimate interests within the context of their mutual brotherly affection.

The Question of the Plate River

There are rivers which unite, and rivers which divide. And, just as there are geographic accidents interspersed abruptly between two nations, which determine various kinds and sources of insoluble dissidence, no-one could imagine the Plate River's being anything but different. This has always been ample reason for the sociological phenomenon known to all as the "Plate River", on behalf of which there has been a prospering of identification of traditions, fame, race and language common to its river societies. An unusual occurrence in the world, and one which explains what would ordinarily be inexplicable: that, in spite of the absence of legal internal boundaries, by virtue of which the unequivocal jurisdiction of one nation or the other would have been established, this has not been turned into an inexhaustible source of constant discord after so many years.

Since 1828, at the time of Uruguay's independence, and even more so starting with Caseros, the use and navigation of the Plate waters have only occasionally disturbed Argentine-Uruguayan relations. An Uruguayan chancellor acknowledged this, in his fashion, when, in 1964, he said that "it has been possible only because of the brotherhood of origin and the good will of our peoples and governments, that they have succeeded in maintaining an unchangeable climate of friendship and cooperation, despite the dangers which, necessarily, arise from the absence of a defined border."

And so, there would be no discernible reason to try to change the de facto situation which has existed for such a long time, if it were not because a very noticeable change has pressured one of the parties to demand immediate rectification. It is appropriate that this be given due consideration, despite possible plans for internal political capitalization, because there is obviously something new of importance in the Plate. It is oil.

It may not be evident to the Argentine Government that oil-bearing deposits have been found in the sub-soil of the river. On the other hand, this does, indeed, seem to have come to the attention of the Uruguayan Government, judging from the enthusiasm with which it has called for international public bidding on areas in which Argentine interests are known to exist. This is what should be emphasized, because, whatever the outcome, the Argentine Government could not overlook that unilateral decision, and had to impugn it.

Whether petroleum exists or not, we are confronted with a new fact. The Saenz Pena-Ramirez protocol of 1910; the declaration of 1961, which set the outer limits; and the 1964 protocol, on the total elevation of the river, are the rulings specifically in effect insofar as the use

and navigation of the Plate are concerned. The existing status quo has been ratified by these, but the legal rulings which are in effect are likewise exhausted therewith. That is, if there were any matter which had to be discussed, necessarily, at present, it would only be that relating to the question of petroleum, and, perhaps, to fishing. But, just as one could hardly demand that there be no changes in what has not been taken into consideration, neither is it admissible to tolerate unilateral decisions to a point at which national interests become clouded.

In the matter of the Plate, one must always return to the wise principles of the 1910 protocol, the outgrowth of the lucid preaching of Emilio Mitre, at a time when emotion distorted the thinking of other illustrious men. "The navigation and use of the waters of the Plate River (as established in that legal norm) will continue as they have to date, and any difference that might arise in this connection will be settled and resolved with the same spirit of cordiality between both countries." Thus, it does not seem plausible that, under circumstances wherein alien factors enliven the spirits, that there be an attempt to change a situation which has contributed, as the best of situations do, to a satisfactory understanding by the nations committed to the debate. Argentina must be ready for an exchange of ideas, for a calm discussion of the matter, but on the basis of the de facto situation which has been prevailing, without excuse. To pretend that the median line of the river is the jurisdictional dividing line of the waters is, moreover, intolerable to Argentine interests. That would mean no more nor less than that access to the Plate River would remain under Uruguay's jurisdiction, and that Argentina would lose, not just Martin Garcia island, but control of the port of Buenos Aires.

Our country's good will was proven in 1964 when, after having begun the work of elevating the river, which had not been done since 1911, the Government of Argentina agreed to join a mixed commission for this purpose, in accordance with Uruguay's demands. We did not wish to commit our fraternal neighbors in the vast efforts required by such a task. The work has progressed and, as with the constant dredging of the channels, the cost of the job has been borne by Argentina's budget, preferably.

The present question is, obviously, a bilateral one. There can be no other parties joining in with their voices against the clear-cut, adequate titles which each of the two nations has to the river. The theory of assimilating the Plate into the maritime water system, or the other one, of British inspiration and no different from the first, which would define it as a great estuary, should have been discarded. In definite agreement, beginning in 1961, regarding the extent of the condominium, Argentina and Uruguay cannot discuss their interests without retaining the spirit with which they have done so up until now.

La Nacion, Sunday, 22 December 1968.

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